

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31735 of 2021

Arising Out of PS. Case No.-852 Year-2019 Thana- KUDHNI District- Muzaffarpur

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1. RAJ KUMAR SAHANI S/O SRI DWARIKA SAHANI R/O VILLAGE-BALHAN, P.S.-LALGANJ, DISTRICT-VAISHALI
 2. SONU KUMAR SAHANI @ ABHISHEK SAHANI S/O SRI BIRENDRA SAHANI R/O VILLAGE-SITALPUR BOLBAHIA, P.S.-DARIYAPUR, DISTRICT-CHHAPRA.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Prasad Singh
For the Opposite Party/s : Mr. Arun Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 26-08-2021 Heard learned counsel for the petitioners and the State.

Petitioners seek regular bail in a case registered for the offence punishable under Section 395 of the Indian Penal Code and u/s 27 of Arms Act.

As per the prosecution case, six miscreants came on two motor cycles and on the point of pistol looted Rs. 1,40,000/-, two computers, POS machine and mobile phone of petrol pump and also destroyed the monitor of CCTV.

Learned counsel appearing for the petitioners submits that petitioners are are not named in the FIR. The name of petitioners has come in the case during the course of



investigation only on suspicion. Similarly situated co-accused, Akhilesh Kumar, has already been granted bail by a co-ordinate Bench of this court vide order dated 28.06.2021 passed in Cr. Misc. No. 5222/2021. Till date the petitioners have not been put on Test Identification Parade. Petitioners are in custody since 02.07.2020 and investigation in this case is complete.

Learned counsel appearing for the State opposes the prayer for bail.

Considering the facts of the case and the period of custody of the petitioner, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate-I, West, Muzaffarpur, in connection with Kudhani PS case No. 852/2019 on the following conditions:-

(1) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/ her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioners tamper with the evidence or the witnesses, in that case the prosecution will be at liberty to move



for cancellation of bail.

(Prabhat Kumar Singh, J)

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