

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36748 of 2021

Arising Out of PS. Case No.-1007 Year-2019 Thana- AHIYAPUR District- Muzaffarpur

RAJA KUMAR SAHANI Son of Laxman Sahni Resident of Village- Jhapha
Dih, P.S.- Ahiyapur, District- Muzaffarpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Umesh Kumar Mishra, Advocate

For the State : Mr. Bhanu Pratap Singh, APP.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 06-12-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be removed within four weeks of start of normal functioning of the physical court.

Petitioner seeks bail in connection with Ahiyapur P.S. Case No. 1007 of 2019 registered for the offences punishable under Section 392 of the IPC.

According to prosecution case, on 19.08.2019 the informant, who was working in Jana Small Finance Bank, Bela, Mithanpura, had proceeded to collect money on his motorcycle.



After collecting amount of Rs. 59,360/- when the informant reached at Jitu Chowk, Jhapaha, four persons on two different motorcycles overtook him and on the point of pistol snatched Rs. 59,360/-, TAB, Samsung mobile from the informant and fled away from there.

Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence and he has falsely been implicated in the present case. Petitioner is not named in the FIR. His name transpired on the basis of confessional statement of co-accused Baiju Kumar @ Baiju Sahani. No incriminating article has been recovered from conscious possession of the petitioner. It is further submitted that co-accused Baiju Kumar @ Baiju Sahani has been granted bail by a co-ordinate Bench of this court vide order dated 18.08.2021 passed in Cr. Misc. No. 19365 of 2021. Petitioner is in custody since 20.06.2020.

The learned Additional Public Prosecutor opposed the prayer of bail pointing out that petitioner carries two criminal antecedent.

Considering the aforesaid facts and circumstances as well as period of custody, let the petitioner, 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 the learned Judicial Magistrate, 1st Class, Muzaffarpur in connection with Ahiyapur P.S. Case No. 1007 of 2019, subject to the following conditions:-

1. Petitioner 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 absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

3. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner.



However, the acceptance of bail bonds in terms of
the above-mentioned order shall not be delayed
for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

shahzad/-

U		T	
---	--	---	--

