

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36727 of 2021

Arising Out of PS. Case No.-1225 Year-2019 Thana- AHIYAPUR District- Muzaffarpur

Raja Kumar Sahni S/O Laxman Sahni R/O Village-Jhapha Dih, P.S-Ahiyapur,
District-Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Kumar Mishra

For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 06-12-2021 Let the defects, if any, be removed within four weeks of the complete start of the Physical Court.

Heard learned counsel for the petitioner as well as learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered in connection with Ahiyapur P. S Case No. 1225 of 2019 for the offences punishable under Section 392 of the Indian Penal Code .

According to the prosecution case, informant (Kishore Ram @ Naval ji) reached over the bridge on his motorcycle, some unknown persons, on the point of pistol, snatched his mobile, motorcycle, cash of Rs. 16,800/-, driving licence etc and assaulted him with fists and slaps.

Learned counsel for the petitioner submits that petitioner is not named in the F.I.R and his name transpired in



this case only on the basis of earlier been made accused by the police in similar cases. Nothing has been recovered from possession of the petitioner. After due investigation charge sheet has been submitted by the I.O for the offence under section 392 of the I.P.C. He has been made accused in another case. Petitioner is rotting in jail custody since 20.06.2020. On similar footing, co-accused Baiju Kumar@ Baiju Sahani has been granted bail by a co-ordinate Bench of this Court in Cr. Misc. No. 19206 of 2021.

The learned A.P.P opposed the prayer for bail of the petitioner and submits that except this case, petitioner is having two cases, which manifests in Paragraph-3 of the petition.

Considering the aforesaid facts and circumstances as well as submissions of the parties and period of detention of the petitioner, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st class, Muzaffarpur in connection with Ahiyapur P.S.Case No. 1225 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 their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

2. If the petitioner tamper 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 petitioners have concealed their 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)

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