

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45418 of 2021

Arising Out of PS. Case No.-280 Year-2020 Thana- SARAIYA District- Muzaffarpur

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ARUN KUMAR @ ARUN KUMAR SAHNI Son of Bishwanath Sahni
Resident of Village- Bahilwara Govind, Laxmipur, P.S.- Saraiya, District-
Muzaffarpur.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Hans Lal Kumar, Advocate

For the Opposite Party/s : Mr.Narsingh Tanti, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 10-12-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State through virtual mode.

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 Saraiya P.S.
Case No. 280 of 2020 registered for the offences punishable
under Section 392 of the IPC.

According to prosecution case, some unknown persons
took away the pickup van and other belongings of the
informant.

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 nor any incriminating article has been recovered from conscious possession of the petitioner. Name of the petitioner has come in confessional statement of co-accused Akhilesh Kumar. Till today, no TIP has been conducted by the police. Petitioner is in custody since 08.02.2021.

The learned Additional Public Prosecutor opposed the prayer of bail submitting that petitioner carries one 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 Additional Chief Judicial Magistrate-4th (West), Muzaffarpur in connection with Saraiya P.S. Case No. 280 of 2020, 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)

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