

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 35997 of 2020

Arising Out of PS. Case No.-108 Year-2019 Thana- MINAPUR District- Muzaffarpur

VIKASH KUMAR SAHANI @ VIKASH KUMAR son of Vinay Bhushan
Sahani @ Vinay Bhushan Resident of Village and P.S.- Bochahan, District-
Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar

For the Opposite Party/s : Mr.Damodar Pd. Choudhary

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 05-03-2021 Heard the learned counsel for the petitioner and
Sri Damodar Pd. Choudhary, the learned APP for the State.

The petitioner seeks regular bail in connection
with Minapur PS case no. 108 of 2019 instituted for the offences
punishable under Section 392 of Indian Penal Code.

The case of the prosecution in brief is that
unknown miscreants had arrived at the place of occurrence and
surrounded the vehicle of the informant and on pistol point, had
snatched a sum of Rs. 16,000/- and some other articles.

The learned counsel for the petitioner has
submitted that the petitioner is innocent and has been falsely
implicated in the present case. The petitioner is stated to have
been remanded in the present case on 08.03.2019 and is in



custody since them. It is further submitted that only because the petitioner was remanded in another criminal case of same nature, he has been falsely implicated in the present case, although no test identification parade has been held so as to connect the petitioner with the alleged crime.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also those available in the case diary, this Court finds that no test identification parade has been held so as to connect the petitioner with the alleged crime, hence I do not find any reason to permit any further detention of the petitioner herein. Accordingly, I deem it fit and proper to enlarge the abovenamed petitioner on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned court of J.M. 1st class, Muzaffarpur in connection with Minapur PS case no. 108 of 2019.

This Court further finds that it would be just and proper as also in the interest of justice to direct the petitioner herein to appear before the Officer-in-charge of the concerned



police station on each and every Monday of the week at 10.00 AM and co-operate with the Investigating Officer and in case of two consecutive defaults in appearing before the said Officer-in-charge, the present privilege of bail being granted to the petitioner herein shall stand cancelled automatically and the petitioner would be taken into custody forthwith.

(Mohit Kumar Shah, J)

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