

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7565 of 2021

Arising Out of PS. Case No.-118 Year-2020 Thana- CHACKMEHSI District- Samastipur

BIPIN KUMAR Son of Surat Sahni @ Suraj Sahni, Resident of Village-
Namapur Khethi, P.S.- Chakmehsi, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjan Kumar, Adv.

For the Opposite Party/s : Mr.Humayou Ahmad Khan, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 18-08-2021 Heard learned counsel for the petitioner and learned
APP for the State through virtual Court proceedings.

The petitioner seeks bail in a case registered for the offence punishable under Section 392 of the Indian Penal Code and thereafter added under Section 394 of the Indian Penal Code and Sections 25 (1-B)A, 26/35 of the Arms Act.

Prosecution case, in brief is that on 05.06.2020, the informant was left from house for Customer Service Centre, Sormar, in the way three boys surrounded me from the front and abused me when I was opposed and snatched the bag on the point of pistol and carrying Rs.50,000/-, Laptop, ATM, Scanner Charge, Document of Bank and other articles in a bag and ran away from the Bullet motorcycle.

Learned counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in this case. He further submits that the petitioner had remanded in this case in Chakmeshi P.S. Case No. 134/2020 on 24.08.2020. The petitioner is not named in the FIR and the petitioner had made accused on the basis of self-confessional statement under Section 161 of the Cr.P.C. There is no any incriminating articles has been recovered from the conscious possession of the petitioner. There is no T.I. Parade till date. The petitioner is languishing in judicial custody since 24.08.2020. The petitioner has got one criminal antecedent which is mentioned in para 3 of the bail petition. Charge sheet has been submitted in this case.

Learned APP for the State vehemently opposed the prayer for bail application.

Considering the aforesaid facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees twenty five thousand) with two sureties of the like amount each in connection with Chakmehsi P.S. Case No. 118/2020 to the satisfaction of learned Court below where the case is pending/ successor Court; subject to the following conditions:

(1) that one of the bailors will be a close relative of the petitioner, who will be given an affidavit giving



genealogy as to how he is related with the petitioner. He will also undertake to inform the Court if there is any change in the address of the petitioner.

(2) that the bailor shall also state on affidavit that he will inform the Court concerned if the petitioner is implicated in any other case of similar nature after his release in the present case and thereafter the Court below will be at liberty to initiate proceeding for cancellation of bail on the ground of misuse.

(3) that the petitioner will be well represented on each and every date fixed in the case and if he fails to do so on two consecutive dates his bail bond will be liable to be cancelled.

(4) that the petitioner shall co-operate with the investigation, if not already concluded and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Anjani Kumar Sharan, J)

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