

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40725 of 2020

Arising Out of PS. Case No.-321 Year-2019 Thana- BHAGWANPUR District- Vaishali

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JAGGU SAHNI ALIAS JAGDISH SAHNI SON OF GANESH SAHNI @
RAJESHWAR SAHNI RESIDENT OF VILLAGE - BALHA BASANTA,
P.S. - LALGANJ, DISTRICT - VAISHALI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Awadhesh Kumar Singh

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

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 12-04-2021 This matter is taken up for consideration through

Video Conferencing under the orders of Hon'ble the Chief

Justice.

Heard both parties.

The petitioner seeks bail in Bhagwanpur P.S. Case
No. 321 of 2019, registered for the offence punishable under
Sections 395, 397 of the Indian Penal Code.

As per the prosecution case, six unknown miscreants
armed with weapons came on motorcycle and committed
dacoity at petrol pump and looted cash of Rs. 1,90,000/- from
the cash counter. Subsequently, one of accused Manish Kumar
was arrested in connection with loot of another petrol pump and
in his confessional statement before the police, he disclosed the



name of this petitioner as one of his associates.

It is submitted on behalf of the petitioner that petitioner is not named in the FIR. Name of this petitioner has come in this case on the basis of confessional statement of co-accused Manish Kumar. No looted article has been recovered from possession of this petitioner. No test identification parade has been held till date. Similarly situated co-accused persons have been granted bail by this Hon'ble Court vide order dated 07.12.2020 passed in Cr. Misc. No. 32422 of 2020 and order dated 21.12.2020 passed in Cr. Misc. No. 34506 of 2020. Petitioner is in custody since 04.08.2020.

Considering the facts and circumstances of the case and the fact that no looted article has been recovered from the possession of this petitioner and till date no TIP has been held, the petitioner above-named, is directed to be enlarged 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 Ist, Vaishali at Hajipur in connection with Bhagwanpur P.S. Case No. 321 of 2019, subject to following conditions:-

(i) The 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 in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

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

(Prabhat Kumar Singh, J)

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