

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6954 of 2021

Arising Out of PS. Case No.-1272 Year-2019 Thana- AHIYAPUR District- Muzaffarpur

BAIJU KUMAR @ BAIJU SAHNI SON OF LALBABU SAHNI
RESIDENT OF VILLAGE- JHAPAHAN DIH, P.S- AHIYAPUR, DISTT-
MUZAFFARPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hari Kishore Thakur, Advocate

For the Opposite Party/s : Mr. Mithilesh Kumar Khare, APP

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

(The proceedings of the Court are being conducted through Video Conferencing and the Advocates joined the proceedings through Video Conferencing from their residence.)

2 17-04-2021 The defect (s) as pointed out by the Office be removed by the learned counsel for the petitioner within two months after High Court resumes its normal functioning.

Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the offence punishable under Sections 392 of the Indian Penal Code.

Informant has alleged that on 20.10.2019 when he was on his way from Patna to Darbhanga and when he reached at medical over-bridge on N.H. 57 at about 6:15 p.m., four miscreants overpowered him and snatched his bag containing cheque book and pass book of S.B.I., driving licence, identity



card, owner book of the motorcycle, Rs.13,400/- and one mobile etc. In the meantime, police party reached at the place of occurrence and arrested two of this miscreants, Guddu Kumar and Ajit Kumar and rest managed to flee away. The other miscreants who fled away from the place of occurrence were Baiju (petitioner) and Bittu.

It has been submitted on behalf of the petitioner that he is innocent and has falsely been implicated in this case due to dirty local politics. Petitioner was not arrested from the place of occurrence and his name has surfaced in this case on the confessional statement made by the co-accused and except the said confessional statement, there is no any other incriminating material against the petitioner. It is further submitted that co-accused Guddu Kumar has been granted bail by the court below itself and another co-accused Ajit Kumar has been granted bail by the Hon'ble High Court. Petitioner has been remanded in this case on 13.05.2020.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Ahiyapur P.S. Case No.



1272 of 2019, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) 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 his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(3) 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.

(S. Kumar, J)

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