

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 11037 of 2021**

Arising Out of PS. Case No.-305 Year-2019 Thana- CHIRAIYA District- East Champaran

JITENDRA SAHANI Son of Gaji Sahani @ Laxmi Sahani Resident of
Village-Madhubani Ghat, Tola-Matthiya, P.S.-Muffasil Motihari, District-East
Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr Prateek Tandon, Advocate

For the Opposite Party/s : Mr Nirmal Kumar Sinha, APP

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 06-07-2021 This case has been taken up for consideration today
through Video Conferencing.

Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in Chiraiya (Shikarganj)
Police Station (for brevity, *PS*) Case No 305 of 2019 instituted
for the offence punishable under Section 394 of Indian Penal
Code.

The case of the prosecution is that the informant
along with his employee was on way when Rs 66,720/- has been
snatched on gunpoint by four miscreants.

Learned counsel submits that First Information
Report is against unknown persons. The petitioner has been



remanded in this case when he was granted bail in connection with Pipra PS Case No 63 of 2020, solely on confessional statement of co-accused Manohar Sahni, which has no evidentiary value. No incriminating material has been recovered from the petitioner's possessions involving his complicity in this case. He is in custody in this case since 04.09.2020 and has not been put on Test Identification Parade. He is on bail in other cases, as mentioned in paragraph 3 of the petition.

Learned APP has opposed the prayer for bail.

Considering the aforesaid, let the petitioner, above named, be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Sub Divisional Judicial Magistrate, Sikrahana at Dhaka, East Champaran in connection with Chiraiya (Shikarganj) PS Case No 305 of 2019 subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.



(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

Learned counsel for the petitioner is expected to honour his undertaking given in the instant proceedings today for depositing requisite Court fee and removing the defect (s), as pointed out, when called upon to do so.

(Madhuresh Prasad, J)

M.E.H./-

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