

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7948 of 2022

Arising Out of PS. Case No.-23 Year-2020 Thana- NAGAR District- Vaishali

Lalu Sahni @ Chhote Sarkar S/o Sanichar Sahni R/o village- Nakhash
Chowk, P.S.- Hajipur, District- Vaishali at Hajipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Niranjan Parihar
For the Opposite Party/s : Mr. Braj Kishore Pd., APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 23-06-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Hajipur
P.S. Case No. 23 of 2020 registered for the offence under
Section 392 of the Indian Penal Code.

The accused/petitioner is not named in the F.I.R. and
is in custody since 04.06.2020.



The allegation against the petitioner is to commit robbery in the house of the informant alongwith other co-accused and while committing so, taken away Rs.2,000/- (Rupees Two Thousand) in cash and one mobile phone.

Learned counsel appearing on behalf of the petitioner submitted that the name of the petitioner surfaced on the basis of confessional statement and nothing incriminating has been recovered, which may connect the petitioner with the present occurrence. It has further been submitted that chargesheet has already been submitted in this case, as such there is no chance of tampering with the evidence. It has further been submitted that petitioner's name surfaced in 13 other cases mostly of similar nature but in maximum cases, the name of the petitioner surfaced on the basis of confessional statement like the present one.

Learned APP appearing on behalf of the State while opposing the prayer of bail fairly conceded that nothing incriminating has been recovered from the conscious physical possession of the petitioner.

Considering the facts and circumstances as mentioned above, as the name of the petitioner surfaced on the basis of confessional statement, leading to no recovery of incriminating



material, let the petitioner, above named, is directed to be released on bail in connection with Hajipur P.S. Case No. 23 of 2020 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate- 1st Class, Vaishali at Hajipur, subject to the following conditions:

“(i) That accused/petitioner shall not involve in the similar nature of offence till the conclusion of trial, failing the State shall be at liberty to move before the Trial Court itself for the cancellation of bail bond of the petitioner.

(ii) Accused/Petitioner shall cooperate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court, only on medical ground of the petitioner duly supported by the documents.

(iii) That one of the bailors shall be Gajmati Devi, who is the mother of the



petitioner and deponent of the present bail
petition.”

The physical appearance of I/O of this case is
dispensed with.

(Chandra Shekhar Jha, J)

Ankit/-

U		T	
---	--	---	--

