

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8774 of 2022

Arising Out of PS. Case No.-40 Year-2015 Thana- AURAI District- Muzaffarpur

Sanjay Sahni

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar, Advocate

For the Opposite Party/s : Mr. Uday Chand Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 13-07-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Let the defect (s), as pointed out by the office, be removed within a period of four weeks from today.

The petitioner seeks bail in connection with a case registered for the offences punishable under Section 395 of the Indian Penal Code.

The prosecution case, in short, is that on 19.03.2015 at about 11:30 pm, when he along with his family members were sleeping, 10-12 persons entered into his house and confined all family members and looted cash, gold and silver ornaments and mobile phones.

Learned counsel for the petitioner submits that F.I.R lodged against the unknown persons. It is also submitted that the



petitioner has been remanded in this case from Tariyani P.S. Case No. 35 of 2015. It is further submitted that he has been implicated in this case on the basis of self-confessional statement. It is further submitted that the other co-accused namely, Suresh Rai and Ors. have been granted bail by a Co-ordinate Bench of this Court vide order dated 03.10.2016 passed in Cr. Misc. No. 40542 of 2016. It is also submitted that the petitioner is in custody since 18.12.2020, charge-sheet has been submitted in this case and has antecedent of three cases.

Learned A.P.P. for the State opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of this case, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) only with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/Successor Court in connection with Aurai P.S. Case No. 40 of 2015, subject to the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every dated fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient



reason, his/her bail bond shall be cancelled by the Court below.

(2) One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife.

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

(Khatim Reza, J)

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