

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30027 of 2022

Arising Out of PS. Case No.-381 Year-2021 Thana- NAUTAN District- West Champaran

Munnilal Sahni @ Minnilal Sahani Son Of Late Tapan Sahni @ Ratan Sahni
Resident Of Village- South Telhua , P.S- Nautan , Dist- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey, Advocate

For the Opposite Party/s : Mr.Harendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 20-09-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner, learned counsel for the informant and the learned A.P.P. for the State.

The petitioner seeks bail in a case registered for the offence under Sections 323, 379, 384, 406, 420, 467, 468, 471, 504, 506, 34 of the Indian Penal Code.

The prosecution story in brief is that the complainant negotiated with the petitioner to purchase his land. The petitioner took Rs.8,40,000/- from the complainant and signed a Mahadanama for the sale of his land. But later on, the petitioner refused to sell his land nor he returned back the said amount to the complainant. On being asked, petitioner abused and



assaulted the complainant and wife of the petitioner committed theft of three thousand by taking the same out of the pocket of the complainant.

Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent. He has falsely been implicated in the present case. He further submits that the parties have already settled the issue and the petitioner has already paid Rs. 50,000/- to the informant and the informant has received Rs. 50,000/- from the wife of the petitioner. Further submits that the petitioner further agreed that Rs. 50,000/- will be paid to the informant by 01.10.2022 and the rest of the amount will be paid to the informant in 15 installments in 15 months. Petitioner is in custody since 19.01.2022.

Learned counsel for the informant has supported the contention of the petitioner.

Considering the fact and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Nautan P.S. Case No.381 of 2021 with the following conditions:-

(1) 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 on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) 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.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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