

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40439 of 2021

Arising Out of PS. Case No.-665 Year-2019 Thana- AHİYAPUR District- Muzaffarpur

BAIJU KUMAR @ BAIJU SAHANI Son of Lalbabu Sahni Resident of
Village- Jhapahan Dih, P.S.- Ahiyapur, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hari Kishore Thakur
For the Opposite Party/s : Mr.Choubey Jawahar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 27-01-2022 Heard the parties through video conferencing.

Petitioner seeks regular bail in connection with
Ahiyapur P.S. Case No. 665 of 2019 registered for the offence
under Section 392 of the I.P.C.

Four unknown miscreants riding on a motorcycle
accosted the informant and looted away his *Apache* motorcycle ,
Rs. 2500/- in cash and mobile.

Learned counsel for the petitioner submits that
petitioner is not named in the FIR and has falsely been
implicated in this case on the basis of his confessional statement
recorded in Ahiyapur P.S. Case No. 136 / 2020 in which the
petitioner was arrested under Sections 272 / 273 & 34 of the IPC
, Section 30 (a) and 36 of the Bihar Prohibition and Excise Act
2016. Learned counsel further submits that no looted article has
been recovered from the possession of the petitioner, he has not
been put on T.I. Parade, he is in custody since 29 / 9 / 2020,
charge sheet has already been submitted and trial is not likely to



be concluded in near future due to Covid 19 pandemic.

Regard being had to the submissions made by the parties and taking into consideration the materials available on record, the fact that no looted article has been recovered from the possession of the petitioner, he is in custody since 29 / 9 / 2020 , charge sheet has already been submitted and trial is not likely to be concluded in near future due to Covid 19 pandemic, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 25000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. 9th, Muzaffarpur (East) in connection with Ahiyapur P.S. Case No. 665 of 2019 on the following condition:-

(a) that the petitioner shall remain present on each and every date during the course of trial and in case of default on two consecutive dates on the part of the petitioner, his bail bond shall liable to be cancelled.

(Anil Kumar Sinha, J)

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