

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40824 of 2021

Arising Out of PS. Case No.-360 Year-2020 Thana- MUZAFFARPUR TOWN District-
Muzaffarpur

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INDRAJEET OJHA Son of Vinay Ojha @ Vinal Ojha Resident of Village -
Madukar Chapra, P.S. - Kanti, District - Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Yugal Kishore

For the Opposite Party/s : Mr.Satya Nand Shukla

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 02-03-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be
removed within four weeks of start of normal functioning of the
physical court.

Petitioner seeks bail in connection with Town P.S.
Case No. 360/ 2020 registered for the offences punishable
under Sections 420, 379, 467, 463, 411/34 of the IPC and
Sections 25(1-b)a, 26, 35 of the Arms Act.

The prosecution case is that co-accused Pankaj Sahni
and Pappu Sahni are engaged in fraudulently withdrawing
money from the ATM and have smashed several properties and
the informant being police officer searched the house of co-



accused Pappu Sahni and recovered cash of Rs. 33,46,200/-, gold ornaments, firearms and other incriminating material from there.

Learned counsel for the petitioner submits that petitioner is not named in the FIR and the name of the petitioner has been transpired on the basis of confessional statement of co-accused Pappu Sahni. He further submits that nothing has been recovered from conscious possession of the petitioner. He further submits that in fact the petitioner was arrested in connection with Brahmpura P.S. Case No. 143 of 2020 on 18.06.2020 and thereafter, he was remanded in this case on 06.10.2020. He further submits that co-accused Sunny Kumar @ Rishu has been granted bail by a co-ordinate Bench of this court vide order dated 24.11.2021 passed in Cr. Misc. No. 24058 of 2021. Similarly, co-accused Rakesh Kumar has been granted bail by a co-ordinate Bench of this court vide order dated 26.11.2021 passed in Cr. Misc. No. 50314 of 2021 and another co-accused Aditya @ Aditya Kumar has been granted bail by a co-ordinate Bench of this court vide order dated 29.11.2021 passed in Cr. Misc. No. 32828 of 2021. He further submits that the police after investigation submitted charge sheet against the petitioner and the petitioner is in custody since 06.10.2020.



The learned Additional Public Prosecutor opposed the prayer of bail submitting that petitioner carries three criminal antecedent.

Considering the aforesaid facts and circumstances, 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 the learned Chief Judicial Magistrate, Muzaffarpur in connection with Town P.S. Case No. 360/ 2020, subject to 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 absence on two consecutive dates without sufficient reason, his 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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