

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31979 of 2022

Arising Out of PS. Case No.-114 Year-2022 Thana- PURNEA SADAR District- Purnia

1. Rajesh Rishi Son of Surendra Rishi Resident of Pristhan Shrinagar, P.S.-Sadar (Muffasil), District-Purnea.
2. Raman Sahni @ Lalhi Sahni Son of Chandra Shekhar Sahni Resident of Pristhan Shrinagar, P.S.-Sadar (Muffasil), District-Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar Agrawal, Advocate

For the Opposite Party/s : Mrs. Anita Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 25-08-2022 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 petitioners and learned APP for the State.

Petitioners seek bail in a case registered for the offences punishable under Sections 399, 402 of the Indian Penal Code and Section 25(1-b)a/26/35 of the Arms Act.

One mobile phone was recovered from the possession of both the petitioners.

Learned counsel for the petitioners submit that the petitioner no. 1 has clean antecedent whereas petitioner no. 2



carries one more case other than the present one. They have been falsely implicated in the present case only on the basis of suspicion. He further submits that it appears from the seizure list that one mobile phone has been recovered from both the petitioners and similarly situated co-accused Sonu Kumar has been granted bail by this Court vide order dated 23.08.2022 in Cr. Misc. No. 28250 of 2022. He further submits that the case of the petitioners is better footing than the co-accused Sonu Kumar and the police after investigation submitted chargesheet against the petitioners and the petitioners are in custody since 16.02.2022.

Learned APP for the State has opposed the prayer for bail of the petitioners.

Considering the facts and circumstances of the case, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Sadar P.S. Case No. 114 of 2022, with the following conditions :-

(1) Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(2) If the petitioners tamper with the evidence or the witness, 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 petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. 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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