

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42833 of 2021**

Arising Out of PS. Case No.-514 Year-2020 Thana- KESARIA District- East Champaran

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ARUN SAHANI S/o Javahar Sahani R/o village- Bairiya, P.S.- Kesariya,
District- East Champaran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rakesh Ranjan, Advocate

For the Opposite Party/s : Mr.Shailendra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 14-02-2022 The instant case has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel for the petitioner and Sri Shailendra Kumar, the learned APP for the State.

The petitioner seeks regular bail in connection with Kesariya PS case no. 514 of 2020 instituted for the offences punishable under Section 392 of Indian Penal Code.

The allegation is regarding unknown miscreants having snatched cash amount, Adhar Card, Licence etc. from the informant after intercepting his motorcycle.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely



implicated in the present case and is languishing in custody since 30.01.2021. The learned counsel for the petitioner has further submitted that after the petitioner was arrested in this case, he was remanded in one another case bearing Kesariya PS case no. 01 of 2021. Lastly, it is submitted that neither any test identification parade has been held so as to connect the petitioner with the alleged crime nor any looted articles or cash amount has been recovered from the possession of the petitioner.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the fact that neither the petitioner is named in the F.I.R. nor any test identification parade has been held so as to connect the petitioner with the alleged crime nor any looted articles/ cash amount has been recovered from the conscious possession of the petitioner, I deem it fit and proper to admit the petitioner to the privilege of bail.

Accordingly, the abovenamed petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Rs.



Ten thousand) with two sureties of the like amount each to the satisfaction of learned court of C.J.M., Motihari, East Champaran in connection with Kesariya PS case no. 514 of 2020.

(Mohit Kumar Shah, J)

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