

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36885 of 2022

Arising Out of PS. Case No.-443 Year-2020 Thana- SUGAULI District- East Champaran

ANKIT SAHNI, Son of Timal Sahani, Resident of Village- Ramgarhw Malahi
Tola, P.S.- Ramgarhwa, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate

For the Opposite Party/s : Mr. Mohammed Arif, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 23-09-2022 Heard Mr. Abhishek Kumar, learned counsel for the

petitioner and the learned APP for the State through virtual

mode in view of COVID-19.

Let the defect(s) be removed within four weeks of the
complete start of the physical Court in normal course.

The petitioner is in judicial custody in connection
with Sugauli P.S. Case No.443 of 2020 instituted under Section
413, 414 of the Indian Penal Code.

As per the prosecution story, the police while on
patrolling duty saw a motorcycle, intercepted it and upon
search, a master key was recovered from his pocket. Further
upon asked to provide document relating to the motorcycle he
was riding, he failed to do so. Accordingly, the accused, the
petitioner herein, was arrested following FIR and preparation of
seizure list.



Learned counsel for the petitioner submits that he has already suffered in the matter by being in custody since 03.09.2020 (as stated in paragraph 10 of the bail application) and his long incarceration has affected his poor family.

Considering the fact that he is custody since 03.09.2020 and charge-sheet stands submitted, this Court is inclined to grant him privilege of bail. However, since he has criminal antecedents, it will appropriate to impose certain conditions.

Let the petitioner be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each in connection with Sugauli P.S. Case No.443 of 2020 to the satisfaction of learned Judicial Magistrate, Ist Class, Motihari, East Champaran, subject to following conditions:

(i) one of the bailor should be the family member of the petitioner, who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail by the Trial court itself;



(iii) the petitioner shall leave the district (Motihari, East Champaran) for a period of two month(s) after providing name and address and police station of his place of stay during the said period and he shall be duty bound to visit the police station (of his residence) every week to mark his attendance;

(iv) upon return to his district, he shall visit the concerned police station every fortnight for the next six months;

(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

Prakash Narayan /-

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