

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49336 of 2021

Arising Out of PS. Case No.-196 Year-2018 Thana- TARIYANI CHOWK District- Sheohar

Lalit Sahni S/o- Ram Bali Sahni R/O- Village - Barhad, P.S. - Hathauri,
District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Satyendra Narayan Singh, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

4 19-07-2022 Let the defects, if any, be removed within four weeks from today.

Heard Mr. Alok Kumar Alok, learned counsel for the petitioner as well as learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered in connection with Tariyani P.S. Case No. 196 of 2018 for the offences punishable under Sections 392, 411 of the Indian Penal Code and Section 27 of the Arms Act.

As per the prosecution case, it is alleged that while the informant, who is Manager of Bharat Financial Inclusion Ltd, Motipur Branch was returning after collecting money of Rs. 92590/-, two unknown miscreants



took his bag containing Rs.92590/- from the dickey of motorcycle.

Learned counsel for the petitioner submits that the FIR has been instituted against unknown miscreants and moreover, nothing has been recovered from person and possession of this petitioner nor the petitioner has been put on TIP. It is further submitted that the name of the petitioner transpired on the confessional statement of co-accused Kaushal Das, who has already been granted bail by a co-ordinate Bench of this Court in Cr. Misc. No. 7363 of 2019 vide order dated 07.03.2019. It is next submitted that only because of the past criminal antecedent of the petitioner his name has been implicated in this case, though he is in custody since 02.02.2021 and moreover, investigation of the crime is already been completed.

On the other hand, learned counsel for the State opposed the bail application of the petitioner and submits that petitioner has found involved in three other cases.

Having heard the rival contentions of the parties and taking into consideration that the name of petitioner transpired on the confessional statement of co-accused ,



who has already been granted bail by co-ordinate Bench of this Court and moreover, no incriminating material has been recovered from person or possession of the petitioner, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate VI, Sheohar in connection with Tariyani P.S. Case No. 196 of 2018 subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(v) 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 cancelling 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

(Harish Kumar, J)

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