

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44551 of 2022

Arising Out of PS. Case No.-379 Year-2020 Thana- MAHUA District- Vaishali

RAJESH SAHNI Son of Ramdeo Sahni Resident of Wad No. 7, village-
Rampur Keshopatti Bejhadih, P.S- Muffasil, Dist- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Praveen, Advocate
For the Opposite Party/s : Mr. Navin Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 14-12-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Mahua
P.S. Case No. 379 of 2020 registered for the offence under
Section 392 of the Indian Penal Code and Section 27 of the
Arms Act.

The accused/petitioner is named in the F.I.R. and is in
custody since 15.02.2021.

The allegation against the petitioner is to commit
robbery along with other co-accused persons on 03.07.2020, at
about 07:30 PM, in the shop of informant running jewellery
shop in the name and style of “Hari Om Jewelers” and while



committing so, taken away, different jewellery, made up of gold and silver, having total value of Rs. 4,00,000/- (Rupees Four Lac Only) and cash of Rs. 2,000/- (Rupees Two Thousand Only).

Learned counsel appearing on behalf of the petitioner submitted that the name of the petitioner surfaced on the basis of self confession, while apprehended in Samastipur (Muffasil) P.S. Case No. 59 of 2021. It is also submitted that in furtherance of said self confession, no incriminating material recovered/surfaced, during course of investigation, which may connect this petitioner, *prima facie*, with the present set of robbery. It is also submitted that petitioner was not put on TIP, as yet. It is also pointed out by learned counsel that petitioner is involved in 07 cases, where, he is on bail and in maximum of cases his name is surfaced on the basis of confessional statement. While concluding the argument, it is submitted that investigation of this case has been completed, for which, charge-sheet has already been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, appearing on behalf of the State, opposes the prayer of bail.

Considering the facts and circumstances as mentioned



above, as no incriminating material recovered/surfaced, during course of investigation, which may connect this petitioner, *prima facie*, with the present set of robbery coupled with the fact that charge-sheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Mahua P.S. Case No. 379 of 2020 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali, Hajipur/concerned court, subject to the condition as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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