

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54219 of 2021

Arising Out of PS. Case No.-360 Year-2020 Thana- MUZAFFARPUR TOWN District-
Muzaffarpur

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Brajesh Kumar Son Of Ravindra Kumar Singh @ Ravindra Singh R/O
Village- Vishunpur Panday @ Vishunupur Pandey, Ward No.9, P.S.- Panapur
O.P. (MINAPUR), District- Muzaffarpur, Present Address Mohalla- Alkap-
Uri Bhagwanpur, P.S.- Sadar, District- Muzaffarpur, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arvind Kumar,Adv

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

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 05-04-2022 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 petitioner and learned

APP for the State.

Petitioner seeks bail in connection with Town

P.S.Case No. 360/ 2020 registered for the offences punishable

under Sections 420, 379, 467, 468, 471/34 of the IPC and

Sections 25(1-b)a, 26, 35 of the Arms Act.

The prosecution case is that co-accused Pankaj Sahni

and Pappu Sahni are engaged in fraudulently withdrawing

money from the ATM and have smashed several properties and



the informant being police officer searched the house of co-accused Pappu Sahni and recovered cash of Rs. 33,46,200/-, gold ornaments, firearms and other incriminating material from there.

Learned counsel for the petitioner submits that petitioner is not named in the FIR and the name of the petitioner has been transpired on the basis of confessional statement of co-accused Pappu Sahni. He further submits that nothing has been recovered from conscious possession of the petitioner and till date no T.I. Parade has been conducted by the prosecution and the police, after investigation submitted charge sheet against the petitioner and similarly situated co-accused, namely, Indrajeet Ojha has been granted bail vide order dated 02.03.2022 in Cr. Misc. No.40824 of 2021 by this Hon'ble Court, Sunny Kumar @ Rishu has been granted bail by a co-ordinate Bench of this court vide order dated 24.11.2021 passed in Cr. Misc. No. 24058 of 2021, co-accused Rakesh Kumar has been granted bail by a co-ordinate Bench of this court vide order dated 26.11.2021 passed in Cr. Misc. No. 50314 of 2021 and co-accused Aditya @ Aditya Kumar has been granted bail by a co-ordinate Bench of this court vide order dated 29.11.2021 passed in Cr. Misc. No. 32828 of 2021. He further submits that the petitioner is in custody since 06.10.2020.



Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries two more cases other than the present one.

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Town P.S.Case No. 360 of 2020, with the following conditions:-

(1) Petitioner 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 his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

And, further condition that 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 cancellation 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.

(Rajesh Kumar Verma, J)

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