

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57610 of 2021

Arising Out of PS. Case No.-247 Year-2020 Thana- TEGHRHA District- Begusarai

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DURGA SAHNI @ DURGA KUMAR S/o Kailu Sahni @ Kailash Sahni @
Kailu Mahto Resident of Village- Kamruddinpur, P.S.- Muffasil (Singhaul
O.P.), District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sada Nand Roy, Advocate

For the Opposite Party/s : Dr. Kumar Uday Pratap, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 28-02-2022 Heard the learned counsel appearing for the petitioner
and learned A.P.P. for the State.

The petitioner seeks regular bail in connection with
Teghra P.S. Case No. 247 of 2020 for the offence punishable
under Sections 395, 412 and 120(B) of the Indian Penal Code.

The allegation, in brief, is that unknown miscreants are
stated to have entered the shop of the informant, variously
armed and had engaged in firing in the shop, whereafter they
had looted jewellery from the said shop and had fled away on
their motorcycles.

The learned counsel for the petitioner has submitted that
the petitioner is innocent, he has been falsely implicated in the
present case and is languishing in custody since 23.01.2021.



The learned counsel for the petitioner has further submitted that though the petitioner is an accused in two other criminal cases, but he is on bail in the said two criminal cases. It is further submitted that no Test Identification Parade has been held till date so as to connect the petitioner with the alleged crime. It is also submitted that no looted articles/jeweler have been recovered from the possession of the petitioner. The name of the petitioner is stated to have transpired in the present case upon confessional statement made by the co-accused person, namely, Ramgati @ Lahra. Lastly, it is submitted that similarly situated co-accused persons have already been granted bail by a coordinate Bench of this Court vide orders dated 21.09.2021 and 02.02.2022 passed in Criminal Misc. No. 13620 of 2021 and Criminal Misc. No. 40134 of 2021.

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 petitioner and taking into account the materials available on record as also considering the parity of the case of the petitioner with that of the co-accused persons, who have already been granted bail by a coordinate Bench of this Court, apart from the



fact that no Test Identification Parade has been held till date so as to connect the petitioner with the alleged crime, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the petitioner, above named, is directed to 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 Chief Judicial Magistrate, Begusarai in connection with Teghra P.S. Case No. 347 of 2020.

(Mohit Kumar Shah, J)

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