

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56499 of 2021

Arising Out of PS. Case No.-828 Year-2019 Thana- KUDHNI District- Muzaffarpur

NAWAL SAHNI S/o Lal Babu Sahni R/o Village- Rambhadrha, P.S.- Belsar
(O.P.), District- Vaishali at Hajipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Niranjana Parihar, Adv

For the Opposite Party/s : Mr.Anil Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 27-01-2022 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 the learned A.P.P. for the State in virtual Court proceeding.

The petitioner seeks bail in connection with Kurhni P.S.Case No.828 of 2019 registered for the offence under Section 395 of the Indian Penal Code and Section 25(1-b)a, 26 and 35 of the Arms Act.

Unknown persons, 5 to 6 in numbers, are said to have committed loot in the Bank to the extent of Rs. 12,61,524/- alongwith D.V.R. of C.C.T.V and mobile phones of customers.

Learned counsel appearing for the petitioner submits that the petitioner is not named in the FIR. The name of the



petitioner has come on the basis of the confessional statement of the co-accused, namely, Suman Kumar Bhagat. He further submits that nothing has been recovered from the conscious possession of the petitioner. He further submits that co-accused, namely, Suman Kumar Bhagat and Arun Sahani have been granted bail by the learned court below itself and another co-accused, namely, Chhotu Kumar @ Rakesh Kumar has been granted bail vide order dated 24.11.2021 in Cr. Misc. No.29430 of 2021 by a Coordinate Bench of this Hon'ble Court and another co-accused, namely, Rahul Sahani has been granted bail vide order dated 21.12.2021 in Cr. Misc. No. 33597 of 2021 by this Hon'ble Court and the petitioner is in custody since 15.01.2021.

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 aforesaid facts and period of custody, 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 Additional Chief Judicial Magistrate 1st, Muzaffarpur (West) in connection with Kurhni P.S.Case No.828 of 2019 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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