

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57369 of 2021**

Arising Out of PS. Case No.-202 Year-2020 Thana- KUDHNI District- Muzaffarpur

Vijay Sahani @ Vijay Sahni Son Of Late Mahindra Sahni R/O Village -
Chhajan, Vishnupur, P.S.- Kudhani, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok

For the Opposite Party/s : Mr.Bishweshwar Ram

**CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER**

2 05-04-2022 Let the defects, if any, be removed within four weeks
from today.

Heard 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 Kudhani P.S.Case No. 202 of 2020 for the offences
punishable under Sections 461,427 of the Indian Penal Code.

As per the prosecution case, it is alleged that on
07.04.2020, the informant being an employee of India-one-
ATM, received information that some miscreants damaged the
ATM.

Learned counsel for the petitioner submits that except
damage of the ATM, nothing has been taken away. It is next
submits that the name of petitioner has been transpired on the



basis of confessional statement of co-accused Vicky Kumar @ Vicky Sahni. It is further submits that one co-accused Ajeet Kumar @ Anjeet Kumar whose name was also taken by the co-accused Vicky Kumar @ Vicky Sahni has already been granted bail in Cr. Misc. No. 41255 of 2021 vide order dated 22.10.2021 and the case of this petitioner stands on similar footing.

The learned A.P.P opposed the prayer for bail of the petitioner and submits that apart from this case petitioner has got three criminal antecedent.

Having heard the rival contentions of the parties and taking into consideration the fact that the name of petitioner has come on the confessional statement of Vicky Kumar and there is no allegation of any theft, 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, 1st West Muzaffarpur in connection with Kudhani P.S.Case No. 202 of 2020, 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.

(Harish Kumar, J)

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