

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57977 of 2021

Arising Out of PS. Case No.-454 Year-2019 Thana- VAISHALI District- Vaishali

1. Sonu Kumar @ Abhishek Kumar Sahni S/O Sri Birendra Sahani R/O Village-Sitapur Bolbahia, P.S-Dariyapur, District-Saran.
2. Raj Kumar Sahni S/O Sri Dwarika Sahni R/O Village-Balken, P.S-Lalganj, District-Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Prasad Singh, Advocate.
For the Opposite Party/s : Mr. Shantanu Kumar, APP.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 06-04-2022 At the very outset, learned counsel for the petitioners seeks permission to make necessary correction in Paragraph No. 4 of the petition.

As prayed for, the permission is accorded.

Heard learned counsel for the petitioners as well as learned Additional Public Prosecutor for the State.

The present application has been filed on behalf of the petitioners, above named, for grant of regular bail to the petitioners who have been made accused and put behind the bars in connection with Vaishali P. S. Case No. 454 of 2019 registered for the offence punishable under Section 392 of the Indian Penal Code.

As per the prosecution case, it is alleged that on 16.12.2019, while the informant was going to his home, three miscreants with weapon came and snatched his mobile phone,



motorcycle and Rs. 3,50,000/- and fled away.

Learned counsel for the petitioners submits that the F.I.R. has been instituted against unknown and the name of the petitioners transpired on the confessional statement of co-accused Manish Sahni @ Manish Kumar who has already been granted bail by co-ordinate bench of this Hon'ble Court in Cr. Misc. No. 66086 of 2021 vide order dated 19.01.2022. Copy of which has been produced before this Court and the same is kept on record. It is next submitted that these petitioners have also been found involved in two other similar cases but in both the cases, the petitioners are on bail. It is further submitted that the charge-sheet has already been submitted and after framing of the charges no witness has been examined

On the other hand, learned APP for the State opposes the bail application of these petitioners.

Having considered the submissions made on behalf of the parties and taking into consideration this fact that the name of the petitioners transpired on the confessional statement of co-accused, who has already been granted bail by co-ordinate bench of this Hon'ble Court. The petitioners are in judicial custody since 04.01.2021 and till date they have not been put on T.I.P., let the petitioners, above named, be released on bail on



furnishing bail bonds of Rs. 20,000/- (Rupees twenty thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Vaishali P. S. Case No. 454 of 2019, subject to the condition that one of the bailors will be the close relative of the petitioners with further conditions which are as follows:-

- (i) The petitioners will cooperate in conclusion of the trial.
- (ii) They will remain present on each and every date of trial till disposal of the case.
- (iii) They 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, their bail bonds will liable to be cancelled.

(Harish Kumar, J)

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