

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59821 of 2021

Arising Out of PS. Case No.-292 Year-2019 Thana- KATRA District- Muzaffarpur

=====

UPENDRA SAHNI S/o DEVILAL SAHNI R/o VILLAGE-BARHAD, P.S-
HATHAURI, DISTRICT- MUZAFFARPUR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Anish Kumar

For the Opposite Party/s : Mr.Madan Kumar

=====

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 09-02-2022 Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State in virtual court

proceeding.

Let the defects, as pointed out by the office, be

removed within four weeks of start of normal functioning of the

physical court.

Petitioner seeks bail in connection with Katra P.S.

Case No. 292/19 registered for the offences punishable under

Section 392 of the IPC.

The FIR of the occurrence of loot is against unknown.

Learned counsel for the petitioner submits that

petitioner is not named in the FIR and he has falsely been

implicated in the present case only on the basis of confessional

statement of co-accused Santosh Sahni. He further submits that



nothing has been recovered from conscious possession of the petitioner and till today no TIP has been conducted by the police. Petitioner is in custody since 09.06.2021.

The learned Additional Public Prosecutor opposed the prayer of bail submitting that petitioner carries eight criminal antecedent.

Considering the aforesaid facts and circumstances, 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 Ms. Arti Kumari, learned Judicial Magistrate 1st Class, Muzaffarpur in connection with Katra P.S. Case No. 292/19, subject to 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 absence on two consecutive dates without sufficient reason, his 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.

3. 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)

shahzad/-

U		T	
---	--	---	--

