

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65059 of 2021

Arising Out of PS. Case No.-198 Year-2021 Thana- PIPRAKOTHI District- East Champaran

=====

AVINASH KUMAR SAHANI @ AVINASH SAHANI Son of Supervisor
Sahani Resident of Village - Khairi, P.S.- Pipra, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Prateek Tandon

For the Opposite Party/s : Mr.Mukesh Kumar Singh

=====

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 06-05-2022 Heard learned counsel appearing on behalf of the

petitioner and learned A.P.P. for the State.

Let the defect(s) be removed within two weeks of the
complete start of the physical Court in normal course.

The petitioner seeks regular bail in connection with
Piprakothi P.S. Case No. 198 of 2021, for the offence punishable
under Section 392 of the Indian Penal Code.

The prosecution story, in brief, is that on 12.08.2021,
while informant was returning home, in the meantime, four
miscreants stopped him and snatched his motorcycle and
assaulted him.

Learned counsel appearing on behalf of the petitioner
submits that the petitioner is innocent and he has falsely been
implicated in this case. He further submits that petitioner has



clean antecedent and he is in custody since 08.09.2021. Nothing has been recovered from the possession of the petitioner or from the house of the petitioner. The alleged looted motorcycle has also not been recovered from the possession of the petitioner. He further submits petitioner has not been put on T.I.P. The name of the petitioner roped in the present case on the basis of confessional statement made by co-accused Murari in the Police custody, which has no evidentiary value.

Learned A.P.P. for the State has opposed the prayer for grant of bail to the petitioner.

Considering the aforementioned facts and circumstances of the case, the petitioner has made specific statement that nothing has been recovered from his possession. The petitioner has clean antecedent and he is in custody since 08.09.2021, without going into the merits of the case, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 25000/- (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Motihari, East Champaran in connection with Piprakothi P.S. Case No.198 of 2021, subject to the following conditions:-

- (1) Bailors should be local having sufficient



immovable property within the jurisdiction of the Court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(4) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

(Purnendu Singh, J)

manish/-

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

