

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30678 of 2023

Arising Out of PS. Case No.-177 Year-2015 Thana- BELA District- Sitamarhi

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Dinesh Sahni S/O Vasudeo Sahni @ Bharat Sahni Resident of village-
Brichawan Mushhari, P.S.- Tariyani District- Sheohar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha, Advocate

For the Opposite Party/s : Mr. Uma Shankar Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 11-09-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
02.02.2023 in connection with Bela P.S. Case No. 177 of 2015,
F.I.R. dated 16.11.2015 for the offences punishable under
Section 395 of the Indian Penal Code and Section ¾ of
Explosive Substance Act.

3. Earlier the petitioner was granted regular bail vide
order dated 21.07.2022 passed in Cr. Misc. No. 22983 of 2022
with the condition that “*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
below and on his absence on two consecutive dates without sufficient
reason, his bail bond shall be cancelled by the Court below*”.



4. Learned counsel for the petitioner submits that due to non communication of the date, the petitioner was not represented by anyone on two consecutive dates i.e. on 06.08.2022 and 19.10.2022 due to which his bail bond has been cancelled by the learned court below. He further submits that the petitioner is in custody since 02.02.2023.

5. The learned Additional Public Prosecutor has no objection in this regard.

6. 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 the learned Sub Divisional Judicial Magistrate, Sadar, Patna in connection with Bela P.S. Case No. 177 of 2015, subject to the following conditions:-

i. 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.

ii. 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.

iii. 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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