

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.23588 of 2022**

Arising Out of PS. Case No.-83 Year-2012 Thana- KUNDWACHAINPUR District- East  
Champaran

=====

SHIVNATH SAHANI S/o Late Tila Sahani Resident of Village- Hussepur,  
Naya Tola, P.S.- Sahebganj, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Rakesh Ranjan, Advocate  
For the Opposite Party/s : Mr. Raj Kishore Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY**  
**ORAL ORDER**

3      13-01-2023                      Heard learned counsel for the parties through video  
conferencing.

The petitioner has preferred this application for grant  
of regular bail in a case registered under section 396 of the  
Indian Penal Code and section 27 of the Arms Act.

As per the prosecution case, the informant states that  
5 – 7 unknown accused persons armed with various weapons  
entered the house of the informant and committed loot. They  
took away various ornaments and cash as described in the FIR.

It is submitted by learned counsel for the petitioner  
that the FIR was registered against unknown. The petitioner was  
falsely implicated in course of investigation because of his  
antecedent. He could not surrender earlier for the reason that he



was in judicial custody since 2013 in other cases. He was remanded in the instant case on 2.2.2022 but chargesheet has been submitted in the case without putting him on T.I. parade. No incriminating article has been recovered from his possession.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the material that has transpired in course of investigation, the petitioner being in custody for more than 11 months and chargesheet having been submitted in the case without putting the petitioner on T.I. parade, the petitioner is directed to be enlarged on bail in connection with Sessions Trial no. 113 of 2019 (arising out of Kundwa Chainpur P.S. Case no. 83 of 2012 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge XX, East Champaran at Motihari.

**(Partha Sarthy, J)**

Spd/-

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