

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45470 of 2022

Arising Out of PS. Case No.-92 Year-2022 Thana- LAURIA District- West Champaran

KUNDAN KUMAR SAHNI SON OF BIKRAM SAHNI @ VIKRAM
SAHANI R/O VILLAGE- NANDPUR, P.S.- SHIKARPUR, DISTRICT-
WEST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma, Advocate

For the Opposite Party/s : Mr.Khurshid Anwar, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 20-01-2023 Heard the learned counsel for the
petitioner and the learned A.P.P. for the State.

The petitioner seeks regular bail in connection with Lauriya P.S. Case No. 92 of 2022, registered for the offence punishable under Section 392 of the Indian Penal Code.

The case of the prosecution, in brief, is that in the night of 07.04.2022 at about 00:30 hours, the informant was driving a truck carrying cold drinks and when he had reached near Prabhu Chowk and had stopped for drinking tea, one person had taken lift, whereafter, they had proceeded ahead. It is further alleged that when the informant had reached near the petrol pump of



Purnmasi Rai along with his truck, 3-4 unknown miscreants had intercepted the truck of the informant, had assaulted the informant and tied him, whereafter they had fled away with the truck of the informant loaded with cold drinks.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is languishing in custody since 18.04.2022. The learned counsel for the petitioner has further submitted that though the petitioner is an accused in two other cases but he is on bail in the said two cases. Lastly, it is submitted that neither any Test Identification Parade has been held till date so as to connect the petitioner with the alleged crime nor any recovery has been made from the petitioner as far as the looted truck/cold drinks in question is concerned.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the



submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also considering the fact that neither any Test Identification Parade has been held so as to connect the petitioner with the alleged crime nor the looted truck/cold drink has been recovered from the petitioner, I deem it fit and proper to admit the petitioner to the privilege of bail.

Accordingly, the petitioner, above named, is directed to 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 learned Additional Chief Judicial Magistrate-1, Bettiah, West Champaran in connection with Lauriya P.S. Case No. 92 of 2022.

(Mohit Kumar Shah, J)

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