

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48325 of 2023

Arising Out of PS. Case No.-54 Year-2022 Thana- TAJPUR District- Samastipur

1. Sharvan Sahni @ Shravan Sahni Son Of Shiv Shankar Sahani Resident Of Village - Peyarepur, Ward No.7, P.S. - Baligaon, District - Vaishali, Bihar
2. Arvind Sahni @ Arbind Sahni Son Of Shiv Shankar Sahni Resident Of Village - Peyarepur, Ward No.7, P.S. - Baligaon, District - Vaishali, Bihar

... .. Petitioner/s

Versus

THE STATE OF BIHAR, PATNA

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Madhav Kumar, Advocate

For the Opposite Party/s : Mr.Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 08-08-2023 Learned counsel for the petitioners is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

2. Heard learned counsel for the petitioners and learned APP for the State.

3. The petitioners have preferred this application for grant of regular bail in connection with Tajpur P.S. Case No. 54 of 2022 dated 10.02.2022 registered for the offences punishable u/ss 398 and 307 of the Indian Penal Code and u/s 27 of the Arms Act.

4. As per the prosecution case, five miscreants boarded on two motorcycles came into the shop of the informant



and threatened to give the all money from the galla of the shop on the gun point. Thereafter, the informant picked up a key from the counter and tried to open the galla of the shop, in the meantime, the informant's brother started shouting and after seeing that people were gathering near the shop of the informant then all the miscreants fired and fled away from the spot.

5. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. The petitioners are not named in the F.I.R. The name of the petitioners has sprung up in the confessional statement of the co-accused, Umesh Kumar. Nothing has been recovered from the conscious possession of the petitioners. The petitioner no. 1 is accused in 10 other criminal cases whereas the petitioner no. 2 is accused in 9 other criminal cases as stated in para 3 of the bail petition. The petitioner no. 1 is in custody since 30.06.2022 whereas the petitioner no. 2 is in custody since 11.04.2022.

6. Learned A.P.P. for the State has opposed the bail petition of the petitioners.

7. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioners above-named, are directed to be enlarged on bail on furnishing



bail-bond of Rs.20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, Samastipur in connection with Tajpur P.S. Case No. 54 of 2022 with the condition :-

(i) The petitioners are directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, their bail bonds are liable to be cancelled.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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