

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53654 of 2023

Arising Out of PS. Case No.-79 Year-2022 Thana- TAJPUR District- Samastipur

SHARVAN SAHNI @ SHRAVAN SAHNI S/O SHIV SHANKAR SAHNI
R/O VILLAGE- PEYAREPUR, WARD NO. 7, PS. BALIGAON, DIST.
VAISHALI, BIHAR

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 23-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is in judicial custody in connection with Tajpur P.S. Case No. 79 of 2022 registered under Section 392 of the Indian Penal Code lodged on ACJM 1st Samastipur by the informant.

As per the prosecution story, the informant is a Field staff of Bharat Financial Inclusive Ltd. at Tajpur Branch and after collecting the amount while he was returning, the accused persons on motorcycle took his bag and escaped. It contained Rs. 61, 223/- as also gadgets. Accordingly, the FIR.

It is the case of the petitioner that his name has come in the confessional statement of Amarjeet Kumar Rai and only



because he has criminal antecedent, he has suffered by being in custody since 26.06.2022 (as stated in paragraph-13 of the petition).

Learned APP for the State opposes the prayer for bail stating that he has criminal antecedent.

Taking into account the fact that the name has come in the confessional statement of co-accused and he has remained in custody since 26.06.2022, this Court is inclined to grant him privilege of bail.

Let the petitioner be released on bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned ACJM, 1st Samastipur in connection with Tajpur P.S. Case No. 79 of 2022, subject to the following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned



police station every month for one year to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of his bail bonds;

(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

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