

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53826 of 2023

Arising Out of PS. Case No.-10 Year-2022 Thana- MUSRIGHRARI 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 Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 54631 of 2023

Arising Out of PS. Case No.-10 Year-2022 Thana- MUSRIGHRARI District- Samastipur

ARVIND 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 Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 53826 of 2023)

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

For the Opposite Party/s : Mr. Jagdhar Prasad, APP

(In CRIMINAL MISCELLANEOUS No. 54631 of 2023)

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

For the Opposite Party/s : Mr. Vinod Shanker Modi, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 23-08-2023 Heard the parties.

The petitioners are accused in connection with Musrigharari P.S. Case No. 10 of 2022 registered for the offences under sections 379, 356 and 392 of the Indian Penal Code lodged on 20.01.2022 by the informant, Chhotu Kumar.

As per the prosecution story, the allegation is that when the informant was returning, two accused persons snatched his bag containing Rs. 1,75,082/- as also Rs. 400/-. Accordingly, the FIR.

Learned Counsel for the petitioners submit that the



Sharvan Sahni @ Shravan Sahni and Arvind Sahni are in custody since 21.06.2022 and 06.04.2022 respectively, no T.I.Parade has been conducted and further submission is that the person on whose confession their name came has since been granted bail vide Cr. Misc. No. 36483 of 2023 (Umesh Kumar @ Umesh Sharma).

Learned APP for the State, on the other hand, pointed out that both the petitioners are having criminal antecedents of more than half a dozen.

Considering the facts on record, the submissions put forward by the learned Counsel for the petitioners, the person on whose confession their name has come up has since been granted bail, as stated above, no T.I.Parade conducted, this Court is inclined to extend them privilege of bail but only after framing of the charges on the ground that they have more than half a dozen criminal antecedents.

Let the petitioners be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousands only) with two sureties of like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Samastipur in connection with Mushrigharari P.S. Case No. 10 of 2022, subject to the following conditions:-



(i) one of the bailor should be the family member of the petitioners who shall provide official document to show their *bona fide*;

(ii) the petitioners 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 their bail bond by the Trial court itself;

(iii) the petitioners shall appear before the concerned police station every month for next one year to mark attendance;

(iv) the petitioners 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 their bail bonds;

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

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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