

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54758 of 2023

Arising Out of PS. Case No.-1046 Year-2022 Thana- HAJIPUR SADAR District- Vaishali

SONU KUMAR SAHNI @ ABHISHEK son of Virendra Sahani @ Birendra
Sahani Village- Shitalpur Babbila Ps- Dariyapur Dist- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Arun Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 25-08-2023 Heard the parties.

The petitioner is in judicial custody in connection with Hajipur Sadar P.S. Case No.1046 of 2022 instituted under Sections 394,307 of the IPC and 27 of the Arms Act lodged on 23.12.2022 by the informant Raj Kumar.

As per the prosecution story, the informant alleges that when he was closing the jewellery shop, three persons on motorcycle came and after threatening him entered the shop and took away gold ornaments kept in a bag. In the process, then opened fire which hit the thigh of the informant and they looted away 20 grms of gold jewellery and Rs.5000/-. Accordingly, the FIR.

It is the case of the petitioner that only because of



criminal antecedent, he is repeatedly being implicated and has remained in custody since 08.01.2023 (para-13 of the petition).

Learned APP on the other hand has taken this Court to para-3 to show that he has criminal antecedent of same nature inasmuch as eight criminal antecedents are there.

Taking into account the submissions put forward by the parties, he is in custody since 08.01.2023 and name has come in the confessional statement and no TI parade has been conducted, this Court is inclined to extend him privilege of bail but only after framing of the charges as he has criminal antecedents.

Let the petitioner be released on bail after framing of the charges on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each in connection with Hajipur Sadar P.S. Case No.1046 of 2022 to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur, subject to following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his 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 bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months 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 the 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)

Prakash Narayan

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