

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59706 of 2022

Arising Out of PS. Case No.-238 Year-2020 Thana- GAIGHAT District- Muzaffarpur

Jai Mangal Sahni Son Of Banaras Sahni R/O Village- Bhatauna, P.S.- Karja,
District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Adv.

For the Opposite Party/s : Mr. Madhuri Lata, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

3 22-02-2023 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Gaighat P.S. Case No. 238 of 2020 lodged under Section 392 of
the I.P.C.

As per the prosecution case, the F.I.R. has been
lodged against 3 unknown criminals. The allegation of snatching
Rs.15,000/- and pick-up van as well as the buffaloes are there in
the F.I.R.

Learned counsel for the petitioner submits that the
name of the petitioner has not figured in the F.I.R. He submits
that the name of petitioner has figured in this case only by virtue

of the confessional statement of co-accused Pappu Sahni and after his disclosure, the looted mobile was recovered from the house of one of the co-accused. The said Pappu Sahni has disclosed the name of Ram Sahni as well as of the present petitioner. Counsel submits that the said Ram Sahni and Bharoshi Sahani have been granted bail by the Co-ordinate Bench of this Court vide order dated 30.01.2023 and 10.01.2022 passed in Cr. Misc. No. 60657 of 2022 and Cr. Misc. No. 18005 of 2021 respectively. Counsel further submits that there is one case pending against the petitioner in which he is on bail. Counsel further submits that the petitioner is in custody since 22.06.2022 and the Section in which the F.I.R. has been lodged is magisterial triable in nature.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned J.M. Ist Class, Muzaffarpur (East) in connection with Gaighat P.S. Case No. 238 of 2020, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with

other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall be resulted into cancellation of his bail bond.

B. One of the bailors shall be close relative who shall file affidavit before the court about his relationship with the petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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