

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61798 of 2022

Arising Out of PS. Case No.-144 Year-2020 Thana- BALIGAON District- Vaishali

Rahul Sahni Son Of Suresh Sahni R/O Vill.- Nirpur Kushahi, P.S.- Patepur,
Distt.- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 16-02-2023 Let the defects, if any, pointed out by the office be removed within three weeks from the date of this order, failing which the matter be listed again under the appropriate heading for necessary action.

Heard learned counsel for the petitioner and the learned APP for the State.

Petitioner seeks regular bail in connection with Baligaon P.S. Case No. 144 of 2020 registered for the offence punishable under Section 392 of the Indian Penal Code.

As per the prosecution, three miscreants boarded on motorcycle came and entered into Grahak Seva Kendra of the informant. They looted Rs. 1,33,530/- from the counter and Rs. 2500/- cash, Aadhar card, Pan card, Identity card, key board with monitor and CD from the informant and his staffs on the

point of pistol and fled away.

The main submissions advanced by learned counsel Mr. Jitendra Kumar appearing for the petitioner are that the petitioner is not named in the FIR and his name surfaced in the statement of co-accused namely Karmbir Kumar, who has been granted regular bail by a co-ordinate Bench of this Court vide order dated 12.08.2022 passed in Cr. Misc. No. 26742/2022 and the case of the petitioner stands on better footing as firstly he has been languishing in jail since 02.04.2022 and against him there are criminal antecedents of seven cases while against the co-accused Karmbir Kumar, there are criminal antecedents of eight cases and after petitioner's arrest in the present matter, any recovery of looted money or any other incriminating material was not made and he was not put on *Test Identification Parade* and while rejecting the petitioner's prayer for bail the learned trial Court mainly placed reliance upon the criminal antecedents of the petitioner and he has been chargesheeted.

Learned APP Mr. Dinesh Singh appearing for the State has opposed the bail prayer.

In view of the facts, as stated above and mainly considering the petitioner's custody period and his case being on better footing to the co-accused namely Karmbir Kumar, who

has been granted bail by a co-ordinate Bench of this Court, in the opinion of this Court the petitioner deserves to a lenient approach of this Court. Accordingly, let the petitioner named- above be enlarged on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned in connection with Baligaon P.S. Case No. 144 of 2020.

(Shailendra Singh, J)

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