

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71025 of 2022

Arising Out of PS. Case No.-334 Year-2022 Thana- VAISHALI District- Vaishali

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ARUN SAHNI Son of Jhamlal Sahni Resident of Village- Baniya, P.S.-
Saraiya, P.O.- Chak Ramdas, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr.Ajay Kumar No. 2,APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 04-04-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in a case registered for the
offence under Sections 379, 411, 406 and 34 of
the Indian Penal Code.

As per prosecution case, the co-accused Md.
Mainuddin was apprehended by the police with some stolen
articles and allegation against the co-accused, namely, Niraj
Kumar is that he has supplied him the articles from the complex
where he has been working as a guard.

Learned counsel appearing for the petitioner submits
that the petitioner has clean antecedent. He has falsely been
implicated in the present case. He further submits that nothing
has been recovered from conscious possession of the petitioner.



The name of the petitioner has been transpired on the basis of the disclosure made by co-accused, namely, Md. Mainuddin and the similarly situated co-accused person, namely, Niraj Kumar has been granted bail vide order dated 01.12.2022 passed in Cr. Misc. No. 61271 of 2022 by a Coordinate Bench of this Hon'ble Court and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 07.10.2022.

Considering the aforesaid fact, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Vaishali P.S. Case No. 334 of 2022 , with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.



(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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