

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 72954 of 2023

Arising Out of PS. Case No.-810 Year-2022 Thana- KATIHAR NAGAR District- Katihar

CHHOTU KUMAR SAHNI S/O LATE RAMBALI SAHNI R/O
MOHALLA- HAWAI ADDA, P.S- SAHAYAK, DISTT.- KATIHAR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Musowir, Advocate

For the Opposite Party/s : Mr. Anand Kishore Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 22-11-2023

Heard the parties.

2. The petitioner is in custody in connection with Katihar (N) P.S. Case No. 810 of 2022 for the offence under section 394 of the Indian Penal Code lodged on 05.12.2022 by the informant, Mahesh Kumar Choudhary.

3. As per the prosecution story, the informant alleged that when he was at his shop, the unknown person entered and looted Rs. 19,300/- as also two mobile phones on gun point. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that his name has come in the confessional statement of Vikas Kumar. Although he is in custody since 05.12.2022, no T.I parade conducted. However, he concedes that the petitioner has criminal antecedent.



5. Learned APP opposes the prayer for bail.

6. Taking into account the fact that despite being in custody since 05.12.2022, no T.I. has been conducted, his name has come in the confessional statement, this Court is inclined to extend him the privilege of bail with conditions.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned C.J.M, Katihar, in connection with Katihar (N) P.S. Case No. 810 of 2022 subject to the following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her 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 month for one year to mark his 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 his bail bonds.

8. With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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