

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73896 of 2022

Arising Out of PS. Case No.-378 Year-2022 Thana- KATIHAR NAGAR District- Katihar

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SURAJ SAHNI Son of Late Brij Kishor Sahni @ Late Braj Kishore Sahni
Resident of Village- Hawai Adda, P.S.- Katihar(Sahayak), District- Katihar
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pawan Kumar Singh, Advocate
For the Opposite Party/s : Mr.Arun Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 17-04-2023 Heard learned counsel for the petitioner and the

learned APP for the State.

The petitioner is in judicial custody in connection
with Katihar (Sahayak) P.S. Case No. 378 of 2022 instituted
under Sections 379 and 511 of the I.P.C. lodged on 01.07.2022
by the informant Rajendra Kumar Sah.

As per the FIR, on 01.07.2022, the informant had
gone to the Railway station to see off his friend and while he
came outside from station, saw one person trying to escape with
his motorcycle. On alarm raised by informant, locals gathered
and apprehended this petitioner and handed him over to the
police. Accordingly, the F.I.R.

It has been contended by the learned counsel for the
petitioner that nothing was recovered from his possession and/or
from his house and only because of suspicion, he was picked up
from the railway station and named accused in the case.



Learned APP opposes the prayer stating that the informant came out and saw his two wheeler being taken by the petitioner herein.

Considering the period of custody (02-07-2022) at para-12 of the petition as also that the FIR has been lodged, ultimately he has to face the trial, this Court is inclined to extend him privilege of bail with condition in view of the fact that he is criminal antecedent.

Let the petitioner be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each in connection with Katihar (Sahayak) P.S. Case No. 378 of 2022 to the satisfaction of learned Chief Judicial Magistrate, Katihar , 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/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/her bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned



police station every fortnight for next one year 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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