

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71325 of 2022

Arising Out of PS. Case No.-403 Year-2019 Thana- PIPRA District- East Champaran

GOVINDA SAHANI S/O Jagdish Sahani R/O Village- Bhataha, P.S- Muffasil
Motihari, District- East Champaran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Pramod Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 27-04-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail, who is in custody since
20.01.2020 in connection with Pipra P.S. Case No. 403 of 2019,
F.I.R. dated 21.11.2019 registered for the offence punishable
under Section 392 of IPC.

The FIR of the occurrence of robbery is against
unknown.

Learned counsel appearing for the petitioner submits
that the petitioner has falsely been implicated in the present
case. Petitioner is not named in the FIR. The name of the
petitioner has been transpired during investigation on the basis
of the statement of the petitioner recorded in Motihari Town
P.S.Case No.838 of 2019 in which the petitioner has confessed



his involvement in the present occurrence. Further submits that nothing has been recovered from conscious possession of the petitioner and till date no TIP has been conducted by the prosecution and except the self-confessional statement of the petitioner, no other cogent material has come during investigation against the petitioner to suggest the involvement of the petitioner in the present occurrence and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 20.01.2020.

Learned APP for the State has opposed the prayer for bail of the petitioner on the ground that the petitioner carries eight more cases other than the present one but fairly submits that out of eight cases, the petitioner is on bail in five cases, rest three cases are pending for consideration.

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 C.J.M., Motihari, East Champaran in connection with Pipra P.S. Case No. 403 of 2019, 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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