

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74239 of 2022

Arising Out of PS. Case No.-86 Year-2022 Thana- KOTWA District- East Champaran

VINOD SAHNI @ BINOD SAHANI Son of Raghunath Sahni Resident of
Village- Ashramghat, Bandh Road, P.S.- Sikandarpur O.P., District-
Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 22-03-2023 Heard learned counsel appearing on behalf of the
parties.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Kotwa
P.S. Case No. 86 of 2022 registered for the offence under
Sections 401, 402, 413, 414, 467, 468, 471, 420 and 379 of the
Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in
custody since 31.08.2022.

The allegation against the petitioner is to have in
possession of stolen motorcycles with allegation to create forged
documents for the purpose of selling those stolen motorcycles in



Nepal.

Learned counsel appearing on behalf of the petitioner submitted that name of the petitioner surfaced in the present case on the basis of confessional statement of co-accused, namely, Sunny Kumar, in furtherance of which, no incriminating material recovered/surfaced, which may connect this petitioner, *prima facie*, with the present occurrence. It is also pointed out that said co-accused, namely, Sunny Kumar has already granted bail by one of the learned co-ordinate Bench of this Court through Cr. Misc. No. 33828 of 2022 dated 13.01.2023. It is also submitted that petitioner was not put on TIP, as yet. While concluding the argument, it is submitted that petitioner found involved in 03 more criminal cases, where, in maximum of cases, his name surfaced on the basis of confessional statement, as of the present case and moreover, investigation of this case has already completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State, opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as no incriminating material recovered/surfaced, during



course of investigation, which may connect this petitioner, *prima facie*, with the present allegation as raised through FIR coupled with the fact that charge-sheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Kotwa P.S. Case No. 86 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari, East Champaran/concerned court, subject to the condition as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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