

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3899 of 2023**

Arising Out of PS. Case No.-810 Year-2020 Thana- SARAIYA District- Muzaffarpur

ABHINANDAN SAHNI @ KALLU SON OF SHAMBHU SAHNI R/O
VILLAGE- CHAKBAZO, P.S.- SARAIYA, DISTRICT- MUZAFFARPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hans Lal Kumar

For the Opposite Party/s : Mr.Yogendra Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 22-02-2023 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with Saraiya Police Station Case No. 810 of 2020, registered for the offences punishable under Section 392 of the Indian Penal Code.

This is the second attempt on behalf of the petitioner for grant of regular bail. Earlier, the prayer for regular bail of the petitioner was rejected by this Court, vide order, dated 12.04.2022, passed in Criminal Misc. No. 39437 of 2021, giving liberty to the petitioner to renew his prayer for bail after six months from the date of the order, if the trial does not show any progress.

The allegation, as per the First Information Report, is



that the informant was intercepted by three unknown miscreants riding on a motorcycle without any number plate and they assaulted the informant by means of butt of the pistol and took away motorcycle, Samsung mobile, purse containing Rs. 15,000/-, documents and laptop of the informant.

Learned Counsel for the petitioner submits that the petitioner has renewed his prayer for bail, as observed by this Court. He further submits that the petitioner is in custody since 06.02.2021 and the trial has not yet commenced. He further submits that no looted article has been recovered from the possession of the petitioner and the petitioner has also not been put on Test Identification Parade.

After having heard learned Counsel for the parties and taking into consideration the fact that the petitioner is in custody since 06.02.2021, no looted article has been recovered from the conscious possession of the petitioner, the petitioner has not been put on Test Identification Parade and this is the second attempt on behalf of the petitioner for grant of regular bail, I am inclined to grant regular bail to the petitioner.

This application is, accordingly, allowed.

Let the petitioner, above named, be released on bail, upon furnishing bail bonds of Rs. 20,000/- (twenty thousand)



with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Muzaffarpur in connection with Saraiya Police Station Case No. 810 of 2020.

This is subject to the condition that the petitioner shall present himself before the Court, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bond shall be liable to be cancelled.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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