

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11184 of 2024

Arising Out of PS. Case No.-144 Year-2023 Thana- HARSIDHI District- East Champaran

BIRJA SAHANI @ BRIJ SAHANI @ BIRIJ SAHANI S/O- BHING RAJ
SAHANI @ BHAGRAJ SAHANI R/O- VILLAGE- KERWANIYA
BISHUNPURA, P.S.- MANJHAGARH, DIST.- GOPALGANJ.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Krishna Kant Singh

For the Opposite Party/s : Mr.Mohammed Arif

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 22-02-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Harsidhi P.S. Case No. 144 of 2023 registered on 27.02.2023
lodged under Sections 393 of the I.P.C.

3. As per the prosecution case, F.I.R. has been lodged
against unknown accused persons against whom there is
allegation of committing robbery.

4. Counsel for the petitioner submits that name of the
petitioner has been figured in this case by the virtue of
confessional statement of the co-accused. Counsel further
submits that nothing has been recovered from the possession of
the petitioner nor T.I.P. has been done.



5. Counsel further submits that petitioner is innocent and has committed no offence. He further submits that petitioner is in custody since 09.11.2023 having three criminal case pending against him, in which he is on bail. Chargesheet has already been filed.

6. Learned counsel for the State opposes the prayer for bail.

7. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail ***after framing of charge if not framed yet and on being satisfied by the trial Court that he is not absconding in any of the criminal cases pending against him which is mentioned below*** and on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, East Champaran in connection with Harsidhi P.S. Case No. 144 of 2023, subject to the following conditions as well as the conditions laid down under Section 437 (3) of the Cr.P.C.

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his *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 bonds by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for 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 evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds; and

(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.

- Goplaganj P.S. Case No. 188/2023
- Harsidhi P.S. Case No. 159/2023
- Harsidhi P.S. Case No. 185/2023

(Dr. Anshuman, J)

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