

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20388 of 2024

Arising Out of PS. Case No.-162 Year-2013 Thana- TARIYANI CHOWK District- Sheohar

RAM PRAVESH SAHNI @ RAM PARVESH SAHNI S/O HARIHAR
SAHNI R/O VILLAGE- CHANDPARNA BANKUL, P.S- MINAPUR,
DISTT.- MUZAFFARPUR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Md. Nazir Ansari, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 02-04-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Sessions Trial no.74 of 2019, arising out of Tariyani Chowk P.S. Case no.162 of 2013 registered under sections 395 and 397 of the Indian Penal Code.

3. As per the prosecution case, the informant states that 50-60 unknown accused persons variously armed entered into the house of the informant and on the point of *katta*, *lathi*, rod etc. committed *dacoity*. They assaulted the informant and the members of his family and took away various articles as mentioned in the FIR.

4. Learned counsel for the petitioner submits that the FIR was registered against unknown. Referring to the order of



the learned trial Court, it is submitted that the petitioner was falsely implicated in the case in course of investigation in the confessional statement of co-accused Shiv Chand Ram @ Jitan Ram made before police. The cause of false implication of the petitioner is his antecedent. The petitioner is in custody since 8.4.2019 and undertakes to cooperate in the case/trial. Learned counsel in reference to paragraph no.12 of the petition submits that though charge was framed against the petitioner on 26.9.2019 under sections 395 and 397 of the Indian Penal Code, the trial has still not concluded and the case is pending for prosecution evidence.

5. The application for bail is opposed by learned A.P.P for the State.

6. Having heard learned counsel for the parties, having perused the allegations in the FIR, the material that has transpired against the petitioner in course of investigation as is evident from the order of the learned trial Court, the petitioner having remained in custody for about 5 years since 8.4.2019 and the trial still continuing in the learned trial Court at the stage of the prosecution evidence, the petitioner is directed to be enlarged on bail in connection with Sessions Trial no.74 of 2019 (arising out of Tariyani Chowk P.S. Case no.162 of 2013) on



furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge, Sheohar on the following conditions :-

(I) One of the bailors of the petitioner shall be his father.

(II) The petitioner shall remain physically present in the trial Court on each date of the trial and shall cooperate in the trial.

(III) In case the petitioner is absent on any date for reasons not to the satisfaction of the learned trial Court or in case the learned trial Court is of the opinion that the trial is being delayed due to non-cooperation on part of the petitioner, the learned trial Court may cancel the bail bond of the petitioner and take him into custody till conclusion of the trial.

(Partha Sarthy, J)

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