

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23429 of 2024

Arising Out of PS. Case No.-356 Year-2023 Thana- SHAHPUR PATORI District- Samastipur

NISHANT KUMAR SAHNI @ GUDDU SAHNI, MALE, AGED ABOUT 25 YEARS, SON OF LATE SIYARAM SAHNI @ SIYA RAM SAHNI RESIDENT OF VILLAGE - GUNAI BASAHI, P.S. - TAJPUR, DISTRICT - SAMASTIPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Sinha, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

2 15-04-2024

Heard learned counsel appearing on behalf

of the parties.

2. The petitioner seeks bail in connection with Patory P.S. Case No.356 of 2023 registered for the offence under Sections 392 of the Indian Penal Code and Section 27 of the Arms Act.

3. Allegation against the petitioner along with other co-accused persons is to have snatched Rs. 30,000/- and Rs. 10,000/- from the informant and it is further alleged that the accused persons broke into the cabin and taken away Rs.75,000/- from cash counter.

4. Learned counsel appearing on behalf of the



petitioner has submitted that petitioner has falsely been implicated in the present case, where, petitioner was not named in the FIR and his named surfaced from CDR. It is submitted that nothing has been recorded from conscious physical possession of this petitioner. It is also submitted that the no TIP has been conducted during course of investigation. It is further submitted that petitioner is in custody since 07.05.2023.

5. Learned APP appearing for the State, opposes the prayer for bail of the petitioner.

6. Considering the facts and circumstances and submissions made on behalf of the petitioner, let the petitioner, above named, is directed to be released on bail, ***after framing of the charge***, in connection with Patory P.S. Case No.356 of 2023 on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Samastipur.

7. The trial court is directed to conclude the proceeding of framing of charge according to law within a period of 15 (fifteen) days from the date of receipt of a copy of this order. However, it is made clear that ***if the charge-sheet has not been submitted*** then the above named petitioner shall be released on bail on furnishing bail bond with further condition



that the petitioner have to present physically on each and every date before the Trial Court till conclusion of trial and if the petitioner would absent for two consecutive dates without any cogent reason, the bail bonds of the petitioner shall be cancelled by the learned trial court itself.

(Ramesh Chand Malviya, J)

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