

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35621 of 2024

Arising Out of PS. Case No.-11 Year-2024 Thana- BANGARA District- Samastipur

SHRAWAN SAHNI SON OF ARVIND SAHNI RESIDENT OF VILLAGE -
BELARI, P.S. - UJIYARPUR, DISTRICT - SAMASTIPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Deepak Kumar Singh, Advocate
For the Opposite Party/s : Mr.Syed Mojibur Rahman, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 20-05-2024 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in connection with Bangra
P.S. case No. 11 of 2024 instituted for the offences under
Sections 457, 380, 411 of the Indian Penal Code.

3. Prosecution case, in short, is that unknown thief has
committed theft in the home of the informant and stolen
ornaments, cash amounting to Rs. 5,000/- and inverter battery.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case.
Petitioner is not named in the F.I.R. The name of the petitioner
transpired in this case during investigation on the basis of
confessional statement of the co-accused Raja Kumar. No



incriminating/looted article has been recovered from the conscious possession of the petitioner rather the alleged recovery of inverter battery has been made from the joint house of the petitioner where other family members of this petitioner also reside. He further submitted that no any identification of the said battery was demonstrated in the FIR and, hence, the ownership of the battery is not clear whether the said battery belongs to the informant or not. Learned counsel further submitted that petitioner has got no concern with the alleged recovery of battery. It has been submitted on behalf of the petitioner that the petitioner is in custody since 03.02.2024 and has one criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Bangra P.S. case No. 11 of 2024, subject to the following conditions:



(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(III) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Rudra Prakash Mishra, J)

Alok Verma/-

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