

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64733 of 2024

Arising Out of PS. Case No.-200 Year-2020 Thana- JANDAHA District- Vaishali

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Ravi Sahni @ Ravi Kumar Sahni @ Ravi Kumar Son of Bilat Sahni @ Bilat
Sahani R/O Vill.- Gazipur, P.S.- Desari, Dist.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anuj Kumar

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 17-09-2024 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner seeks bail in connection with
Jandaha P.S. Case No. 200 of 2020 registered for the offences
punishable under Section 392 of the Indian Penal Code.

3. As per prosecution case, informant alongwith his
staff were going to Andhra Bhar Chowk and in the meanwhile four
miscreants on two motorcycles snatched Rs. 3,18,557/- in cash and
other articles of the informant at the point of pistol and fled away
from the place of occurrence.

4. Learned counsel for the petitioner submits that
the petitioner is not named in the FIR and the name of petitioner
transpired in this case during course of investigation on the basis
of confessional statement of co-accused Rahul Kumar. Except



confessional statement, there is nothing on record to demonstrate the complicity of the present petitioner with the alleged occurrence. The petitioner is in custody since 28.02.2024 and he bears criminal antecedent of seventeen cases. No incriminating article has been recovered from the conscious possession of the petitioner. He further submits that the petitioner has been roped in a case one after another in a routine manner. Charge sheet has already been submitted in the case and there is no likelihood of tampering with the prosecution evidence. The petitioner is quite innocent and has falsely been implicated in the present case. No T.I.P. has been conducted uptill now. Learned counsel for the petitioner further submits that on similar and identical allegation, co-accused Channa Rai @ Srij Mohan Rai has already been granted bail by co-ordinate bench of this Court vide Cr. Misc. No. 30032 of 2022 and on principle of parity, the petitioner also deserves same treatment.

5. The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case, period of custody, co-accused has already been granted bail by co-ordinate bench of this Court, charge-sheet has already been submitted and there is no likelihood of tampering with the prosecution evidence and also taking into consideration the



material available on record, petitioner above named shall be released on bail, **after framing of charge** on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Jandaha P.S. Case No. 200 of 2020, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission would be a ground for cancellation of bail by the learned Trial court itself.

(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.

(iv) Petitioner shall furnish mobile number at the time of furnishing bail bond and the said mobile number shall continue in operating condition till disposal of the case and he shall get his presence marked before the officer-in-charge of the concerned police station of the first Tuesday of every month.



(v) Petitioner shall not leave the territorial jurisdiction of the concerned trial court without appropriate permission of the court concerned.

(vi) However, if petitioner violates any of the conditions, the concerned court is at liberty to cancel the bail bond of the petitioner.

(Alok Kumar Pandey, J)

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