

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74846 of 2024

Arising Out of PS. Case No.-37 Year-2021 Thana- PATEPUR District- Vaishali

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Sharvan Sahni @ Shravan Sahni, S/O Shivshankar Sahni, Resident of vill.-
Pyarepur, P.S.- Baligaon, Dist. Vaishali at Hajipur Petitioner/s
Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad, Adv.

For the Opposite Party/s : Ms. Madhuri Lata, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 25-10-2024 Heard Mr. Sheo Kumar Prasad, learned counsel for the

petitioner and Ms. Madhuri Lata, learned APP for the State.

2. Petitioner seeks regular bail in connection with

Patepur P.S. Case No. 37 of 2021 dated 19.02.2021 registered for
the offence punishable under Section 392 of the Indian Penal
Code.

3. The main submissions advanced by learned counsel
for the petitioner are that the petitioner has been languishing in jail
since 22.10.2022 and there is no any legal evidence to connect him
to the alleged offence of loot and in respect of the petitioner's
involvement in the commission of the alleged occurrence, the
prosecution is mainly relying upon the confessional statement of
co-accused, namely, Chandan Paswan @ Vicky Raj @ Vicky given
before the police which has no evidentiary value and after the
petitioner's arrest, he was not put on Test Identification Parade
despite the alleged occurrence having happened with the informant



during the day time and further, the police failed to recover any incriminating material from the possession of this petitioner after he was taken into custody. It is further submitted that co-accused Chandan Paswan, who has revealed the role of this petitioner in the commission of the alleged occurrence, has been granted bail by this Court vide order dated 25.07.2023 passed in Cr. Misc. No. 44705/2023.

4. Learned APP appearing for the State has opposed the bail prayer of the petitioner.

5. Considering the facts and circumstances of this case as well as above submissions coupled with petitioner’s custody period and his above plea as to non-availability of any legal evidence against him except confessional statement of co-accused Chandan Paswan which has not been refuted by the State, in my opinion, the petitioner deserves to the privilege of bail. Accordingly, let the petitioner named-above be released on bail on furnishing bail bond of Rs. 20,000/-(Twenty Thousand) with two sureties of the like amount each to the satisfaction of the concerned Court in connection with Patepur P.S. Case No. 37 of 2021.

(Shailendra Singh, J)

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