

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74668 of 2023

Arising Out of PS. Case No.-10 Year-2023 Thana- JADIA District- Supaul

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SANOJ KUMAR @ SANOJ SAHNI S/o- NAGINA SAHNI, resident of
village- Lalganj, P.S.- lalganj Dist- Vaishali(Hajipur)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Chandan Kumar Verma

For the Opposite Party/s : Mr. Kumar Uday Pratap

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

3 04-01-2024 Heard learned counsel for the petitioner and

learned A.P.P. for the State.

2. The petitioner seeks bail in connection with
Jadia P.S. Case No. 10 of 2023 registered for the offences
punishable under Section 395 of the IPC and later on charge
sheet has been submitted under Section 395 and 411 of the
IPC.

3. As per prosecution case, 8-10 unknown
miscreants intercepted the truck of the informant and looted
the same which was loaded with 2160 kg of Makhana and
also assaulted the informant and snatched mobile phone and
Rs. 12,000/-.

4. Learned counsel for the petitioner submits



that petitioner is not named in the FIR and the name of the petitioner has been transpired in the case during the course of investigation on the basis that the police have recovered truck in question from the godown of Bablu Choudhary where petitioner alongwith other co-accused persons have been found unloading the said truck. He further submits that petitioner is in custody since 13.01.2023 and bears criminal antecedent of one case which is lodged after being apprehended in the present case. Charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence. He further submits that petitioner is a daily wage earner and he is working in the warehouse of the co-accused person. Petitioner is not in any way connected with the alleged occurrence. Basically, nothing has been recovered from the conscious possession of the petitioner. No TIP has been conducted uptill now. He further submits that seizure list does not bear the signature of the present petitioner which clearly shows that the petitioner was not present at the place of occurrence. He further submits that co-accused Satya Narayan Chaudhary, Shankar Chaudhary and Suresh



Chaudhary have already been granted bail vide Cr. Misc. No. 44382 of 2023 by the co-ordinate Bench of this Court and the case of present petitioner stands on similar footing.

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 have already been granted bail, charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioner above named be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-II, Supaul in connection with Session Trial No. 177 of 2023, arising out of Jadia P.S. Case No.10 of 2023 , 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.

(Alok Kumar Pandey, J)

vashudha/-

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