

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86232 of 2023

Arising Out of PS. Case No.-567 Year-2021 Thana- SURSAND District- Sitamarhi

Shivshankar Sahni Shankar Sahni S/O Late Ravindra Sahani R/O Village
Sursand P.S. Sursand Dist, Sitamarhi,

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha, Advocate

For the Opposite Party/s : Mr. Rajiv Nayan, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 23-01-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Sursand P.S. Case No.567 of 2021 registered under Sections 460
and 380 of the I.P.C.

3. The allegation of theft in the residence of the
informant and his brother is against three unknown persons.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case. The F.I.R. was lodged against three unknown persons, who
were arrested and granted bail by the learned court below.
However, on the confessional statement of apprehended accused
persons, the name of petitioner surfaced in this case. He further
submits that nothing has been recovered from possession of the



petitioner. No Test Identification Parade has been conducted in this case. The charge sheet has already been submitted and there is no chance of absconding or tampering with the evidence by the petitioner. The petitioner has nine criminal antecedents as stated in para 3 of the application out of which in three cases, he has been acquitted. The petitioner is in custody since 10.03.2022.

5. Learned A.P.P. opposes the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case, submissions of the parties and the period of custody, let the above named petitioner 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 J.M. 1st, Class, Pupri at Sitamarhi in connection with Sursand P.S. Case No.567 of 2021 subject to further conditions that:

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

(ii) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court below and shall remain physically present as directed by the Court below and on his absence on two consecutive dates



without sufficient reason, his bail bond shall be cancelled by the
Court below.

(Sunil Dutta Mishra, J)

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