

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17440 of 2025

Arising out of PS. Case No.-714 Year-2024 Thana- MOTIHARI TOWN District- East
Champaran

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Chandan Sahani S/o- Late Pannalal Sahani R/o- Majurahan P.S-
Raghunathpur District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Ranjana Srivastava, Advocate
For the Opposite Party/s : Mr. Pawan Kumar Chaurasia, APP

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CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

3 29-05-2025 This case has been notified to be heard at 1 P.M. at
the instance of learned counsel for the Petitioner.

2. Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the state.

3. The petitioner seeks bail in connection with
Motihari Town P.S. Case No. 714 of 2024 instituted for the
offences under Sections 331(4) and 305 of BNS. He has three
criminal antecedents.

4. The prosecution case is to the effect that the
informant had gone to the in-laws' house during the Chhath Puja
and subsequently he was informed by his neighbour that the
lock of his house was broken and it was found that the gold
ornaments, cash and other gold and silver items were found



missing.

5. Learned counsel for the petitioner submits that the petitioner is not named in the FIR and subsequently his name has surfaced during the course of investigation. Learned counsel further submits that no incriminating article has been recovered from conscious possession of the petitioner though during the course of investigation it has come that recovery has been made from his house, however, there is no detail of the said recovery. It has also been submitted by learned counsel for the petitioner that till date no TIP has been conducted either of the petitioner or the recovered items. It is lastly submitted that the petitioner has three criminal antecedents against his name and he is in custody since 20.11.2024.

6. Learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner and has submitted that the recovery of theft articles has been made from the house of the petitioner.

7. Considering the aforesaid submissions of learned counsel and taking into account the fact that the petitioner is in custody since 20.11.2024, the petitioner above named, is directed to be released on furnishing bail-bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount



each to the satisfaction of the learned Chief Judicial Magistrate, East Champaran, Motihari in connection with Motihari Town P.S. Case No. 714 of 2024, subject to the the following conditions:-

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the Court below, if so required by the learned Trial Court.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be canceled by the Court concerned.

(iv) And further condition that the court below shall verify the criminal antecedent of the petitioner except three cases and in case at any stage it is found that the petitioner has concealed his criminal antecedent except three cases, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms



of the above-mentioned order shall not be delayed for purpose of the same or in the name of verification.

8. In view of the antecedents of the petitioner, the petitioner is directed to appear before the Superintendent of Police, East Champaran within fifteen days of his release with a copy of this order and every two weeks thereafter for the next nine months. The conduct of the petitioner will be kept under watch in this period by the Superintendent of Police concerned and if it is found wanting in any respect, a report shall be made to the court concerned by him to initiate a proceeding for cancellation of bail for reasons of misuse of bail. After reporting to the Superintendent of Police, a certificate will be filed by the petitioner before the court concerned.

(Sourendra Pandey, J)

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