

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.29977 of 2024**

Arising Out of PS. Case No.-491 Year-2021 Thana- BAGHA District- West Champaran

Bhim Sahani @ Lalan Sahani @ Thikedar son of Late Ram Janam Sahni  
Village-Jahanabad, P.S-Lalganj, District-Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with  
**CRIMINAL MISCELLANEOUS No. 30036 of 2024**

Arising Out of PS. Case No.-491 Year-2021 Thana- BAGHA District- West Champaran

RAVINDRA CHAUDHARY S/O LATE NATHU CHOUDHARI R/O  
Village-Harpurwa, P.S-Yogapatti, District-West Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

with  
**CRIMINAL MISCELLANEOUS No. 33247 of 2024**

Arising Out of PS. Case No.-491 Year-2021 Thana- BAGHA District- West Champaran

Rahul Kumar Son of Sri Dinesh Sahni Resident of Village- Jahanabad, P.S.-  
Lalganj, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**  
(In CRIMINAL MISCELLANEOUS No. 29977 of 2024)  
For the Petitioner/s : Mr. Sunil Prasad Singh, Adv.  
For the Opposite Party/s : Mr. Bharat Bhushan, APP  
(In CRIMINAL MISCELLANEOUS No. 30036 of 2024)  
For the Petitioner/s : Mr. Sunil Prasad Singh, Adv.  
For the Opposite Party/s : Mr. Bharat Bhushan, APP  
(In CRIMINAL MISCELLANEOUS No. 33247 of 2024)  
For the Petitioner/s : Mr. Sunil Prasad Singh, Adv.  
For the Opposite Party/s : Mr. Md. Ataur Rahman, APP

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**



ORAL ORDER

5      10-01-2025                      Heard the parties.

2. The petitioners are in custody in connection with Bagaha P.S. Case No. 491 of 2021 for the offence punishable under Sections 392, 395, 400 and 412 of the Indian Penal Code lodged on 24.09.2021 by the informant, Ayush Kumar.

3. As per the prosecution story, the informant after collection of Rs. 70,000/- was returning. As he reached Nonia Patti Puliya, two motorcycles borne accused persons intercepted him and after slapping him looted the aforesaid amount including the Tab and Biometric Machine from the dicky of his motorcycle. They later left the place whereafter this FIR has been lodged.

4. Learned counsel for the petitioners submit that his name has come in the confessional statement of the co-accused person, Rajan Chaudhary, nothing has been recovered from their conscious possession nor they were put on T.I. Parade. The further submission is that one Ashok Tiwari, similar placed co-accused has been granted relief in Cr. Misc. No. 26181 of 2022, the petitioner in Cr. Misc. No. 29977 of 2024 is in custody since 17.07.2023, petitioner in Cr. Misc. No. 30036 of 2024 is in custody since 18.01.2022 and petitioner in Cr. Misc. No. 33247 of 2024 is in custody since 22.11.2023 and despite they being in



custody for such a long period, no T.I. parade is conducted. The last submission is that if they will indulge in such criminal act again, the State shall take immediate steps for cancellation of the present bail bond, if granted relief.

5. Learned APP, Mr. Bharat Bhushan opposes the prayer for bail submitting that all the petitioners have criminal antecedent.

6. Considering the submissions put forwarded by the parties and the perusal of the paragraph-3 of the petition, at first instance, this Court was not inclined to grant relief to the petitioners considering the number of cases under their belt, only considering the fact that they are in custody for more than a year and in one case, almost two years and further, the undertaking given by the learned counsel that the petitioners will not indulge in any such criminal act again, this Court is inclined to extend them the privilege of bail with conditions.

7. Let the petitioners be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned S.D.J.M., Bagaha, West Champaran, in connection with Bagaha P.S. Case No. 491 of 2021 subject to the following conditions:

(i) one of the bailor should be either mother or father



of the petitioners who shall provide official document to show his/her bona fide;

(ii) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioners shall appear before the concerned police station every fortnight for one year to mark their attendance;

(iv) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

**(Rajiv Roy, J)**

Adnan/-

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