

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46039 of 2025

Arising Out of PS. Case No.-133 Year-2016 Thana- MOTIPUR District- Muzaffarpur

Sunil Sahani S/O Late Lal Mohan Sahani R/O Vill.- Madhopur, P.S.- Motipur,
Dist.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nachiketa Jha, Advocate

For the Opposite Party/s : Ms. Anita Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 24-07-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Motipur
P.S. Case No. 133 of 2016 instituted for the offences under
Sections 399, 402, 414 of the Indian Penal Code, 25(1-b)a,
26(ii), 35 of the Arms Act and Section 20/22 of the NDPS Act.

4. Learned counsel for the petitioner submitted that
present case is the case of misuse of privilege of bail earlier
granted to the petitioner. Earlier the petitioner was granted bail
on 16.08.2017 by this Court but the advocate did not make
pairvi in the case and, as a result, his bail bond was cancelled on
01.06.2024. It is further submitted that on 07.12.2024, the
petitioner was arrested and since then, he is in custody. It is



further submitted that bail bond was cancelled without intimation to the petitioner and process under Section 82 & 83 of the Cr.P.C. was initiated. Learned counsel further submitted that petitioner undertakes to abide by any conditions imposed by this Court, if released on bail.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, the undertaking given by the petitioner as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Motipur P.S. Case No. 133 of 2016, subject to the following conditions:

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

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.



(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.

(IV) Petitioner shall not leave the territorial jurisdiction of the learned court below without taking its prior permission. If petitioner violates any condition/s, the prosecution will be at liberty to move for cancellation of bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Alok Verma/-

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