

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74109 of 2025

Arising Out of PS. Case No.-18 Year-2019 Thana- HAJIPUR SADAR District- Vaishali

Brij Mohan Sahani, Gender-Male, aged about 33 years, Son of Meghnath Sahni, Resident of Village- Karja Chowk, Police Station- Karja, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar, Advocate

For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER

2 19-11-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Hajipur Sadar P.S. Case No. 18 of 2019 instituted for the offences punishable under Section 395 of the Indian Penal Code.

3. As per the prosecution case, while the informant was delivering bricks at Gardanibagh Patna, he was attacked by a group of criminals, who on the gun point kidnapped the informant in one Swift Dezire car bearing Registration No. WB-6703 and snatched Rs. 15,000/- from him. Later, he was thrown by the road side where he freed himself and informed his owner through others mobile phone.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence and has



falsely been implicated in this case. He submits that petitioner is not named in the FIR and his name has been surfaced in this case only on the basis of confessional statement of co-accused namely Jaswant Kumar Yadav. He next submits that neither the petitioner was involved in the alleged crime nor any thing has been recovered from the conscious possession of the petitioner. He lastly submits that petitioner was not put on Test Identification Parade till date. Petitioner is in custody since 09.07.2021.

5. Learned APP for the State opposes the prayer for bail.

6. From perusal of the FIR and impugned order of the learned District and Additional Sessions Judge-III, Vaishali at Hajipur dated 11.08.2025, it appears that petitioner is not named in the FIR. From perusal of the records, it appears that on the basis of written report of the informant, FIR has been lodged under Section 395 of the Indian Penal Code against five unknown accused persons in one Swift Dezire car bearing Registration No. WB-6703 kidnapped the informant. Investigation has already concluded but no Test Identification Parade has been conducted during investigation. Petitioner's name has been surfaced only on the basis of confessional



statement of co-accused Jaswant Kumar @ Jaswant Kumar Yadav and the said Jaswant Kumar @ Jaswant Kumar Yadav has already been granted bail by a co-ordinate Bench of this Court in Cr. Misc. No. 34320 of 2019 vide order dated 27.05.2019, so considering all these aspects of the case and submission of learned counsel for the petitioner, I am inclined to grant bail to the petitioner.

7. Accordingly the prayer for bail of the petitioner is allowed. Let the petitioner above named 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 the learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Hajipur Sadar P.S. Case No. 18 of 2019, subject to the condition that the petitioner shall physically present before the Trial Court on each and every date fixed till conclusion of the trial.

(Ramesh Chand Malviya, J)

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