

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4039 of 2026

Arising Out of PS. Case No.-173 Year-2023 Thana- PUPRI District- Sitamarhi

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Vivek Sahni Son of Bijli Sahni R/o Vill. - Chand Parne, P.S. - Kesariya Dist. -
East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhannjay Kumar II, Advocate

For the Opposite Party/s : Mr. Ram Bilash Roy Raman, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 28-01-2026 Heard Mr. Dhananjay Kumar II, learned counsel for

the petitioner and Mr. Ram Bilash Roy Raman, learned APP for

the State.

2. The petitioner seeks bail, who is in custody since
02.07.2023 in connection with Pupri P.S. Case No. 173 of 2023,
S.Tr. No. 772/2023, F.I.R. dated 24.04.2023 for the offences
punishable under Sections 395 and 397 of the Indian Penal
Code. Initially the case was lodged u/s 392 of the Indian Penal
Code.

3. According to prosecution case, two miscreants
riding on motorcycle chased the informant and on gun point
looted Rs. 50,000/- from the informant. It is further alleged that
due to fear informant has given the rupees to the miscreants.

4. Learned counsel for the petitioner submits that
petitioner is innocent and he has falsely been implicated in the
present case. Learned counsel further submits that the petitioner



is not named in the FIR and the name of the petitioner has been transpired on the basis of confessional statement of apprehended co-accused persons. He further submits that the police after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 02.07.2023 i.e. more than two and a half years.

5. Learned APP for the State has vehemently opposed the prayer for bail of the petitioner and submits that the name of the petitioner has been transpired during investigation and thereafter the petitioner has been identified in the TIP. Apart from that the petitioner carries three criminal antecedents other than the present one but fairly submits on the basis of paragraph 3 of bail petition that the petitioner is on bail in two cases and trial is in progress and two witnesses have been examined as yet.

6. Considering the aforesaid facts and circumstances of the case and also period of custody of the petitioner, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned 9th Additional District and Sessions Judge, Sitamarhi in connection with Pupri P.S. Case No. 173 of 2023, S.Tr. No. 772/2023 with the following conditions:



i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

ii. 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.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, 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 or in the name of verification.

(Rajesh Kumar Verma, J)

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