

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.2532 of 2017

Arising Out of PS.Case No. -125 Year- 2016 Thana -BENIPATTI District- MADHUBANI

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Rahul Kumar Sahni, Son of Sushil Sahni, Resident of Kapi, P.S.- Katra,
Distt- Muzaffarpur. Petitioner

Versus

The State of Bihar. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Md. Soban Asghar

For the Opposite Party/s : Mr. Sri Ahtash Ali Khan

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 13-02-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Benipatti
P.S. Case No. 125 of 2016 registered for the offences punishable
under Sections 406, 411, 420/34 of the Indian Penal Code.

Allegedly, two persons with a view to help the informant
took the ATM of the informant and also of Rakesh Das and
thereafter handed over the ATM of Akbar Ansari and then the
informant raised alarm and caught both the miscreants including
the petitioner and further from possession of the petitioner amount
of Rs. 4,000/- which was withdrawn and ATM card of Rakesh Das
were recovered.

Submission is of false implication and that the petitioner
is in custody since 04.08.2016, co-accused Pintu Kumar has
already been allowed bail by the learned court below itself. The



petitioner has been made victim of circumstances and nothing has been recovered from conscious possession and the Police forcibly has shown the recovery of ATM card and cash of Rs. 4,000/-, chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence and as such the petitioner deserves sympathetic consideration.

Learned APP opposes the prayer of bail.

In the facts and circumstances stated above, considering the alleged recovery from possession of the petitioner, at present, this Court is not inclined to enlarge the petitioner on bail, accordingly, his such prayer stands rejected.

However, the petitioner may renew his prayer for bail after remaining further four months in custody.

(Jitendra Mohan Sharma, J)

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