

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30490 of 2018

Arising Out of PS.Case No. -575 Year- 2017 Thana -KANTITHARMAL POWER District -
MUZAFFARPUR

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Amod Sahni S/o Rajdev Sahni, R/o Vill.- Kanti Kothia, P.S.- Kanti,
District- Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok

For the Opposite Party/s : Mr. Smt Sangeeta Sharma

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

3 05-07-2018 Heard learned counsel for the petitioner, learned
counsel for the informant as well as learned A.P.P. for the State.

The petitioner seeks regular bail in connection with
Kanti P.S. Case No.575 of 2017 registered for the offences
punishable under Sections 399, 400, 402, 413, 414 of the Indian
Penal Code and Sections 25(1-b)a, 26 and 35 of the Arms Act.

As per the F.I.R., the police party on getting
information reached at the place of occurrence where ten
miscreants had assembled with looted motorcycle and firearms
for committing dacoity. The police party apprehended four
miscreants including this petitioner.

It has been submitted that the petitioner has been made
accused merely on suspicion. Nothing has been recovered from



his possession rather a country made pistol has been planted by police and he has been implicated in this case due to ulterior motive. The petitioner has got no concern with other accused and he has clean antecedent except one criminal case bearing Kanti P.S. Case No.547 of 2017 for the offence under sections 392 and 394 of I.P.C. The petitioner is in custody since 30.12.2017 and so he deserves bail.

The learned counsel for the informant as well as learned A.P.P. for the State opposed the submission.

From perusal of F.I.R., it appears that the police party on getting information reached at the place of occurrence and apprehended this petitioner and other accused, who assembled at the place of occurrence for committing dacoity. Seeing the police party, the accused persons started fleeing away. Out of them, police party with the help of villagers apprehended four miscreants. This petitioner is one of them and from his possession a country made pistol was recovered. The police party seized country made firearms from other apprehended accuseds. In course of investigation, the witnesses have supported the allegation of recovery of firearm from possession of the petitioner.

Considering the facts and circumstances of the case, I



am not inclined to enlarge the petitioner on bail. The prayer of
bail is, accordingly, rejected.

(Sanjay Kumar, J)

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