

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16228 of 2019

Arising Out of PS. Case No.-294 Year-2018 Thana- MUSAHARI District- Muzaffarpur

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Anil Sahni @ Anil Kumar Sahni, Son of Shatrughan Sahni, Resident of
Village - Dardha Mahmadpur, P.S.- Sakra, Distt - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Diwakar Prasad Karn

For the Opposite Party/s : Mr.Anita Kumari

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 15-03-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is languishing in custody since
27.12.2018 in a case registered for the offences punishable
under Sections 414/34 of the Indian Penal Code.

The prosecution case is that on 26.12.2018 at 9.00
P.M. during patrolling, the informant, being a Police Officer
intercepted one person on a Pulsar motorcycle without
registration number, who disclosed his name as Sonu Kumar
and also disclosed that he had taken the said motorcycle from
co-accused Rinku Kumar, whereupon co-accused Rinku Kumar
was arrested, who disclosed to have purchased the said
motorcycle from Anil Sahni, the petitioner and thereafter, Anil
Sahni was arrested and other co-accused persons confessed to
have sold the said motorcycle to Rinku Kumar for Rs.14,000/-



but failed to produce any document hence, the motorcycle was seized.

It is submitted by learned counsel for the petitioner that the name of the petitioner sprang up on the confession of co-accused Rinku Kumar and the recovery of the alleged motorcycle has been made from conscious physical possession of co-accused Sonu Kumar. A statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that the petitioner sold the motorcycle to co-accused Rinku Kumar.

Considering the period under custody and the fact that the recovery has not been made from the physical conscious possession of the petitioner, coupled with the statement made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner 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 learned A.C.J.M. -cum- Sub-Judge VI, Muzaffarpur in connection with Mushahari P.S. Case No. 294 of 2018.

(Dinesh Kumar Singh, J)

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