

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20108 of 2019

Arising Out of PS. Case No.-476 Year-2017 Thana- SARAIYA District- Muzaffarpur

Ranjeet Sahni, Son of Ram Chandra Sahni Resident of Village- Bhagwanpur
Dariha, P.S.- Bochahan, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Ranjan

For the Opposite Party/s : Mr. Rana Randhir Singh

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

4 08-05-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered under
Sections 379, 401, 411, 414, 120(B)/34 of the Indian Penal Code
and Section 25(1-b)a, 26 and 35 of the Arms Act.

26 persons are said to have uprooted the ATM
machine from its kiosk. Gas cylinder and gas cutter are said to
have been seized from the pick up van from which the petitioner
Ranjeet Sahni who happens to be its driver and two other
accused persons namely Sanjay Sahni and Vinay Kumar were
apprehended while others managed to escape. Uprooted ATM
machine was recovered from the possession of Sanjeev Sahni.

It is submitted by learned counsel for the



petitioner that the petitioner is quite innocent and has committed no offence. He has no concern with the aforesaid occurrence. He has been falsely implicated in this case. No incriminating article has been recovered from his conscious physical possession. Petitioner happens to be mere driver of the aforesaid pickup van and he had no knowledge of use of the machine and tools kept on his pick up van while rest two accused persons namely Sanjay Sahni and Vinay Kumar were sitting on his pickup van. Sanjeev Sahni from whose possession uprooted ATM machine was recovered has been enlarged on bail by a co-ordinate Bench of this Court vide order dated 29.06.2018 passed in Cr. Misc. No. 23194 of 2018. Besides him, several other accused persons have also been enlarged on bail by this Court. The petitioner has been languishing in custody since 23.12.2017. Earlier bail petition of the petitioner was rejected by this Court vide order dated 18.05.2018 passed in Cr. Misc. No. 27343 of 2018 with direction to the learned lower court to conclude the trial within nine months from the date of receipt/production of a copy of the order, but the learned lower court vide its Letter No. 45 dated 18.04.2019 has reported that only cognizance has been taken in the case uptill now and case is pending for appearance and production of the accused.



On the other hand, learned APP for the State opposed the prayer for bail.

In the facts and circumstances of the case, the above named petitioner is directed to be enlarged 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 Additional Chief Judicial Magistrate-I (West), Muzaffarpur in connection with Saraiya P.S. Case No. 476 of 2017 with condition that (1) the petitioner will appear before the trial court on each and every date fixed in the case without fail and on his absence on two consecutive dates without any genuine reason to the satisfaction of the court below, his bail bond shall stand cancelled (2) he will extend all sorts of cooperation in conclusion of the trial and any laches on his part would make him liable for cancellation of bail bonds and (3) if he is found indulged in such case in future, his bail bonds shall also stand cancelled.

(Prakash Chandra Jaiswal, J)

mantreshwar/-

U		T	
---	--	---	--

