

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8346 of 2020

Arising Out of PS. Case No.-253 Year-2018 Thana- HATHAURI District- Muzaffarpur

LALIT SAHANI Son of Ram Bali Sahani R/O Village - Barhad, P.S. -
Hathauri, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Jha

For the Opposite Party/s : Mr.Zainul Abedin

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 25-06-2020 The present case was heard on 23.06.2020 and
today the case has been fixed for orders.

The petitioner apprehends his arrest in connection
with Hathauri P.S. Case No. 253 of 2018 for the offence
punishable under Sections 356 and 379 of the Indian Penal
Code.

The case of the prosecution in brief is that the
informant of this case namely Rohit Raj Singh was working as
Manager in Bharat Finance Inclusion Limited and on
26.11.2019 at about 5:15 P.M. in the evening he had collected a
sum of Rs. 52,752/- from the persons at Shivdaspur and kept it
in a bag, in which tab and power bank were also kept. It is
further alleged that thereafter, the informant had left the said
village by the motorcycle, however, when he reached near



Khanpur State Boring, three unknown miscreants had overtaken him on a motorcycle and hit his motorcycle by leg, resulting in him falling on the ground, whereupon the said three miscreants had taken money from the dicky of the bike and fled away.

The learned counsel for the petitioner has submitted that the the petitioner is innocent, has been falsely implicated in the present case and is an accused in two other cases. It is further submitted that there is no material on record to connect the petitioner with the alleged crime.

The learned A.P.P. appearing for the State has vehemently opposed the prayer for anticipatory bail.

I have heard the learned counsel for the parties, gone through the materials on record as also perused the case diary, called for by this Court, pertaining to the case in hand. I find from paragraphs No. 17 and 18 of the case diary that the confessional statements of the co-accused namely Santosh Kumar Sahani and Kaushal Das have been recorded wherein they have confessed to the alleged crime having been committed by them along with the petitioner herein. However, from paragraph no. 50 of the case diary it is apparent that the police has submitted charge sheet before the learned court below against the co-accused namely Santosh Kumar Sahani



and Kaushal Das while keeping the investigation afoot as against the petitioner herein and one Upendra Sahani.

Considering the aforesaid facts and circumstances of the case and having gone through the materials available in the case diary, especially the fact that the investigation is still going on as far as the petitioner is concerned, apart from the fact that the petitioner is an accused in two other cases of similar type of offence, I do not find the present case to be a fit case for grant of anticipatory bail, thus, the present petition stands dismissed.

(Mohit Kumar Shah, J)

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