

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76253 of 2019

Arising Out of PS. Case No.-214 Year-2018 Thana- KHODAWANDPUR District- Begusarai

BRAJESH SAHNI @ BRAJESH KUMAR SAHANI S/o- Suresh Sahni R/o
Village- Sujanpur, P.S.- Gadhpura, District- Begusarai.

... .. Petitioner.

Versus

The State of Bihar

... .. Opposite Party.

Appearance :

For the Petitioner : Mr. Shubhesh Pandey, Advocate.
For the State : Mr. Rana Randhir Singh, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

3 07-01-2020 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Khodawandpur (Chhaurahi) P.S. Case No.214 of 2018 registered under Section 392 of the Indian Penal Code, pending in the court of the Sub Divisional Judicial Magistrate, Manjhaul, Begusarai.

The accusation is that the informant Lal Muni Shah being the driver of the vehicle bearing Registration No.BR34G-1806 proceeded with cash Rs.1,70,000/-, which was handed over to him by the Munshi of his owner, to bring the chicken from Gadhpura. In the way, the informant talked from his mobile phone to the owner of the poultry farm, who asked him



to come at Ekamba. When the informant reached at Ekamba, then a motorcycle rider reached there, who asked the informant to follow him. Thereafter, the aforesaid motorcycle rider took the informant at a lonely place, where 2-3 persons were also present and, then, all forcibly got down the informant from the motorcycle and snatched cash Rs.1,70,000/- and mobile phone from the informant. They also snatched the mobile phones of the Khalasis of the informant and asked them to go, otherwise they will shot fire.

Learned counsel appearing on behalf of the petitioner submits that the petitioner is not named in the F.I.R. In course of investigation, the informant, in his restatement, disclosed the name of the petitioner and others, saying that at the time of the alleged occurrence, the culprits were talking to each other denoting their name.

Admittedly, on the basis of the fardbeyan of the informant Lal Muni Shah, the present case was lodged against four unknown and in his restatement, in course of investigation, the informant disclosed the name of the petitioner and others, saying that at the time of the alleged occurrence, the culprits were talking to each other denoting their name.

Having considered the facts and the circumstances of



the case and the nature of allegation against the petitioner, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, the prayer of the petitioner for grant of anticipatory bail stands rejected. However, the petitioner is directed to surrender before the trial court within four weeks from today and pray for regular bail, which shall be considered by the trial court in accordance with law without being prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

P.S./-

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