

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16932 of 2020

Arising Out of PS. Case No.-230 Year-2018 Thana- DARIYAPUR District- Saran

DEEP SAHNI @ DIPAK SAHNI @ DEEP KUMAR SAHNI S/o Raj Kumar
Sahni R/o- Village- Makra, P.S.- Nayagaon, District- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N. K. Agarwal, Sr. Advocate
	:	Mr. Amresh Kumar Sinha
For the Opposite Party/s	:	Ms.Meena Singh

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 06-01-2021

Heard Sri N.K. Agarwal, the learned Senior
counsel for the petitioner and Ms. Meena Singh, the learned
A.P.P. for the State.

This is an application for grant of anticipatory bail
in connection with Dariyapur PS case no. 230 of 2018 registered
for the offences punishable under Section 396 of Indian Penal
Code and 27 of Arms Act.

The allegation is regarding six unknown
miscreants, riding on two motorcycles, having dashed the
motorcycle of the informant resulting in him falling down on the
ground, whereafter they are stated to have looted a cash amount
of Rs. 2,82,000/- from his pocket and had then fled away. It is
further alleged that some of the miscreants had fired gun shots



on the brother of the informant resulting in his death.

The learned Senior counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case and is having a clean antecedent. It is further submitted that the name of the petitioner has transpired in the confessional statement of the witnesses as well as that of the other co-accused persons and that too after a lapse of about two months, hence the petitioner is not having any complicity in the matter, more so for the reason that there is no eye-witness to suggest that the petitioner had fired gun shots on the deceased.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available in the case diary, I find that miniscule evidence is available on record so as to suggest the complicity of the petitioner in the alleged occurrence, apart from the fact that the petitioner is having a clean antecedent which further persuades this Court to grant benefit of doubt to the petitioner for the purposes of grant of anticipatory bail. Accordingly, the abovenamed petitioner, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt/ production of a copy of this



order, is directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. XI, Saran at Chapra in connection with Dariyapur PS case no. 230 of 2018 subject to the conditions as laid down under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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