

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.25923 of 2020**

Arising Out of PS. Case No.-165 Year-2014 Thana- AMNAUR District- Saran

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ANIL SAHANI @ ANIL SAHNI Son of Baijnath Sahani @ Sukul Sahani  
Resident of Village- Badhichak Dihi, P.S.- Maner, District- Saran.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

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**Appearance :**

For the Petitioner/s : Mr. Rajendra Prasad Sah  
Mr.Sunil Prasad Singh  
For the Opposite Party/s : Mr. Matloob Rab

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**CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR**

ORAL ORDER

4    05-01-2021                      Heard Mr. Rajendra Prasad Sah, learned counsel  
  
for the petitioner and Mr. Matloob Rab, learned APP for the  
  
State.

The petitioner seeks bail in connection with  
  
Sessions Trial No. 153 of 2017 arising out of Amnour P.S.  
  
Case No. 165 of 2014 instituted for the offences under  
  
Sections 447, 427, 34 and 120(B) of the Indian Penal Code  
  
and Section 3/4 of the Explosive Substance At and Sections  
  
16(i)(b), 16(a), 18, 19 and 20 of the Unlawful Activities Act,  
  
1967.

The prayer for bail of the petitioner was earlier



twice rejected vide orders dated 08.02.2018 and 11.09.2019 passed in Criminal Miscellaneous Nos. 20159/2017 and 32514/19 respectively.

It has been submitted on behalf of the petitioner that he is in custody since 11.03.2016. His implication in the present is only on the basis of suspicion and he has been remanded in this case from another case. It has further been submitted by learned counsel for the petitioner that in four other cases, in which he was made accused in the past, he has been granted bail. Some of the other accused persons of this case have also been granted bail by different Benches of this Court.

This Court had asked for a report about the stage of this case from the Court below vide order dated 23.11.2020. The report has since been received which indicates that the case is at the stage of prosecution evidence and the witnesses are yet to be examined. There does not appear to be any possibility of conclusion of trial in near future.

Regard being had to the fact that the petitioner is



in custody for last four years and there is no likelihood of the trial being concluded in near future, he is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge -XII, Saran, in connection with Amnour P.S. Case No. 165 of 2014.

However, it is made clear that the petitioner shall not jump the bail bonds and shall participate in the trial in right earnest. If he absents himself from the trial proceedings on two consecutive occasions without obtaining prior leave of the Trial Court, it would be open for the Trial Court to proceed against the petitioner for cancellation of his bail.

**(Ashutosh Kumar, J)**

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