

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 26981 of 2020**

Arising Out of PS. Case No.-73 Year-2018 Thana- GANDHIMAIDAN District- Patna

KARAN SHAHNI S/o Suraj Shahni Resident of Devi Asthan, Hakosh,
Machhuatoli, Sampatchak Begampur, District-Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr Jagannath Singh, Advocate
For the Opposite Party/s : Mr Akbar Ali, APP

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

4 **22-01-2021** Heard learned counsel for the petitioner and the
learned APP for the State.

Petitioner apprehends arrest in connection with
Gandhi Maidan Police Station (for brevity, *PS*) Case No 73 of
2018 dated 11.03.2018 instituted for the offence punishable
under Sections 395, 397 of Indian Penal Code.

Learned counsel for the petitioner submits that one
year subsequent to the instant occurrence, based on a
confessional statement of one of the arrested persons, the name
of the petitioner has surfaced in this case. Learned counsel
further submits that the implication is without any basis and
unsustainable in the eyes of law. Other co-accused, similarly
situated as the petitioner, have been granted regular bail by



different Benches of this Court in Cr Misc No 2118 of 2020 and Cr Misc No 33598 of 2018 respectively. Having regard to the fact that the petitioner has no criminal antecedent, it is prayed that he may be granted the privilege of anticipatory bail.

The learned APP for the State has opposed the prayer for anticipatory bail.

In the facts and circumstances of the case, prayer of petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, before the Court below, within four (04) weeks from today, he shall be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge VI, Patna in Sessions Trial No 516 of 2018 subject to the conditions as laid down under Section 438 (2) of Criminal Procedure Code and also the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on



each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

Learned counsel for the petitioner is expected to honour his undertaking given in the instant proceedings today for depositing requisite Court fee and removing the defect (s), as pointed out, when called upon to do so.

(Madhuresh Prasad, J)

M.E.H./-

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