

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.6137 of 2021**

Arising Out of PS. Case No.-16 Year-2020 Thana- HAJIPUR SADAR District- Vaishali

MAHENDRA SAHNI S/o Jay Mangal Sahni Resident of Vill and P.O.- Ward
No.2, Dhobghatti, Afzalpur Saidpur, P.S.- Hazipur Sadar, Distt- Vaishali at
Hazipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Samrendra Kumar Jha, Adv.

For the Opposite Party/s : Mr.Akhileshwar Dayal, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 17-12-2021 Learned counsel for the petitioner undertakes to

remove all the defects as pointed out by office within four

weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr.

Akhileshwar Dayal, learned APP for the State.

The petitioner in the present case is seeking pre-arrest

bail in connection with Hazipur Sadar P.S. Case No.16 of 2020

registered for the offences punishable under Section 379 of the

Indian Penal Code. Petitioner has no criminal antecedent.

Learned counsel for the petitioner submits that as per

the First Information report the allegation against the petitioner,

who was working in a construction company, is that he along

with 3-4 unknown persons was involved in theft of road roller



after breaking the lock.

Learned counsel for the petitioner submits that the FIR in this case has been lodged by an engineer of the construction company after fifteen days of the alleged occurrence. Learned counsel submits that this petitioner had business relationship with the company and there was some dispute allegedly over the payment of wages which were transferred in his bank account vide Annxure-2 and only for that reason he has been falsely implicated in this case.

Learned APP for the State is present and has opposed the prayer for pre-arrest bail of the petitioner.

Having regard to the submissions that the FIR in this case has been lodged by an engineer of the construction company after fifteen days of the alleged occurrence and further that this petitioner had business relationship with the company, there was some dispute allegedly over the payment of wages which were transferred in his bank account vide Annxure-2 and in this connection on being threatened to be falsely implicated he had submitted an information petition vide Annexure-3 to the present application, this Court directs that the petitioner above-named in the event of his arrest or surrender within a period of four weeks from today in connection with Hazipur Sadar P.S.



Case No.16 of 2020 be released on bail on furnishing bail bonds of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Vaishali at Hazipur, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

