

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15231 of 2022

Arising Out of PS. Case No.-35 Year-2019 Thana- BIRUPUR District- Lakhisarai

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1. NAGO SAHNI SON OF LATE BISHUNDEO SAHNI R/O VILLAGE-REPURA, WARD NO.14, P.S.- BIRUPUR, DISTRICT- LAKHISRAI
 2. GOBARDHAN SAHNI SON OF LATE RAM KISHUN SAHNI @ LATE SARYUG SAHNI @ LATE BRAHMA SAHNI R/O VILLAGE- REPURA, WARD NO.14, P.S.- BIRUPUR, DISTRICT- LAKHISRAI

... .. Petitioners.

Versus

THE STATE OF BIHAR .

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajive Ranjan Singh

For the Opposite Party/s : Mr. Binod Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 15-11-2022 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

Learned counsel for the petitioners undertakes to remove the defects, as pointed out by the office, within three weeks of resumption of physical court proceeding. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 379 and 411 of the Indian Penal Code.

The allegation against the petitioners is that they along with other co-accused were stealing the Pipa Pool by breaking it in pieces.



The petitioners are quite innocent and have been falsely implicated in this case due to previous grudge. No substantial evidence has come on record connecting the involvement of these petitioners in the alleged theft. The allegations levelled against the petitioners is general and omnibus in nature. Similarly situated co-accused, namely, Binod Chaurasia has been enlarged on bail by this Court vide order dated 21.11.2019 passed in Cr. Misc. No.73637 of 2019.

Per contra, learned APP for the State vehemently opposing the bail petition submitted that the petitioners have moved before this Court for anticipatory bail after inordinate and abnormal delay of almost three years, hence they do not deserve anticipatory bail.

Considering the facts and circumstances of case, I am not inclined to enlarge the petitioners on bail. The prayer for bail of the petitioners is hereby rejected. However, the petitioners are directed to surrender before the learned Court below within six weeks from today and seek regular bail and the learned Court below would pass order in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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