

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35353 of 2021

Arising Out of PS. Case No.-265 Year-2020 Thana- MINAPUR District- Muzaffarpur

Pankaj Sahani, aged about 23 years, Male, Son Of Uma Shankar Sahni,
Resident Of Village- Madhuban Kant, P.S.- Minapur, District- Muzaffarpur.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Nachiketa Jha, Advocate

For the Opposite Party : Mr. Bal Mukund Prasad Sinha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 23-05-2022 Heard learned counsel for the petitioner and learned
counsel for the State.

Learned counsel for the petitioner is directed to
remove the defects, as pointed out by the office, within a period
of four weeks.

The petitioner is apprehending his arrest in connection
with Minapur P.S. Case No. 265/2020 for the offence registered
under Sections 414, 420, 467, 468, 471, 472, 120(B)/34 of the
I.P.C. and Sections 25(1-b)a, 26 and 35 of the Arms Act.

The prosecution story, in brief, is that on 20.07.2020
at about 4.30 P.M. at A.T.M., situated near the State Bank of
India, Minapur Branch. The informant received information
that 4-5 persons were standing near A.T.M. and out of whom,
one was inside the A.T.M. since very long time having revolver



and thereafter he alongwith other police forces reached there, seeing the police force coming, four persons fled away through Motorcycle and one was caught by the police and on search of his person, loaded country made pistol, bullet, bag containing A.T.M. Cloning Machine and Android Mobile with two Sim Cards were recovered. Four different A.T.M. Cards with different names were also recovered from the pocket and the accused disclosed his name as Mithun Kumar as well as names of his associates who managed to escape and he further said that they have a five persons gang, whose work is to withdraw the money of other persons and they all used to go together having country made pistol, knife etc.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The name of the petitioner has transpired in the present case on the basis of disclosure made by co-accused. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in the present case. There is no recovery of any incriminating article from possession of the petitioner. The recovery of incriminating articles is from the co-



accused Mithun Kumar.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances of the case, let the petitioner above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Muzaffarpur, in connection with Minapur P.S. Case No. 265/2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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