

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36761 of 2021

Arising Out of PS. Case No.-70 Year-2019 Thana- BEERPUR District- Begusarai

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BABU SAHEB SAHNI @ BABULAL SAHNI @ VAVU SAHEB SAHNI
S/o Ramchandra Sahni Resident of Korea, P.S.- Mufassil, District- Begusarai

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vinod Gautam

For the Opposite Party/s : Mr. Nawal Kishore Prasad

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 07-01-2022 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with
Veerpur Police Station Case No. 70 of 2019, registered for the
offences punishable under Sections 399/402 of the Indian Penal
Code and Section 26/35 of the Arms Act.

The prosecution case, as per the First Information
Report, is that the police, on the basis of secret information that
the petitioner along with other co-accused persons have
assembled near the place of occurrence and were planning to
commit dacoity, proceeded towards the place of occurrence and
on seeing the police party, one person (the petitioner) succeeded
in fleeing away; whereas five other co-accused persons were
apprehended by the police and 09 live cartridges, mobile phones



and one motorcycle, were recovered from the place of occurrence.

Learned Counsel for the petitioner submits that no incriminating material and/or fire arm has been recovered from the possession of the petitioner and from perusal of the First Information Report, it would be evident that the petitioner succeeded in fleeing away from the place of occurrence. He further submits that the petitioner has falsely been implicated in this case by the police with oblique motive and co-accused Raushan Kumar and Sumit Singh have been granted bail by co-ordinate Bench of this Court, in Criminal Misc. Nos. 47932 and 47945 of 2019. He further submits that the petitioner is in custody since 08.12.2020 and charge sheet has been submitted against the petitioner and as such, there is no likelihood that the petitioner will abscond and/or tamper with the evidence.

Regards being had to the submissions advanced on behalf of the parties concerned and taking into consideration the materials available on record and the fact that charge sheet has already been submitted, no incriminating material has been recovered from the possession of the petitioner, similarly situated co-accused persons have been granted bail by this Court and the petitioner is in custody since 08.12.2020, I am inclined



to grant regular bail to the petitioner.

This application is, accordingly, allowed.

Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned 6th Additional Chief Judicial Magistrate, Begusarai, in connection with Veerpur Police Station Case No. 70 of 2019.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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