

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47904 of 2021

Arising Out of PS. Case No.-353 Year-2014 Thana- SAHEBGANJ District- Muzaffarpur

Anil Sahni @ Anil Sahani Son of Late Baijnath Sahni Resident of Village-
Badichak Dihi, P.S.- Maker, District- Saran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Prasad Singh
For the Opposite Party/s : Mr. Anil Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 23-03-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be removed within four weeks of start of normal functioning of the physical court.

Petitioner seeks bail in a case registered for the offences punishable under Sections 147, 148, 149, 341, 342, 323, 435, 427, 506 of the Indian Penal Code and Section 27 of Arms Act and Section 10, 13,16(B), 18 and 19 of the U.A.P. Act.

According to prosecution case, the plant of S.P. Singla Construction Pvt. Company was ablazed by 40-50 Maoists. The officer-in-charge lodged the F.I.R. when the Manager of the Company refused to lodge F.I.R. and according the Officer-in-



Charge, from secret enquiry he was informed that in the said occurrence this petitioner and other 27 persons were involved.

Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence and he has falsely been implicated in the present case only on the basis of suspicion. He further submits that nothing has been recovered from conscious possession of the petitioner. He further submits that petitioner is remanded in this case from Maker (Saran) P.S. Case No. 50 of 2016 on 05.01.2021 and the similarly situated, co-accused, namely, Surendra Sahani has been granted bail by a co-ordinate Bench of this Court vide order dated 17.12.2015 passed in Cr. Misc. No. 55763 of 2015. The petitioner is in custody since 05.01.2021.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Sahebganj P.S. Case No. 353 of 2014, subject to the following conditions:-

1. Petitioner shall co-operate in the trial and



shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

3. 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.

(Rajesh Kumar Verma, J)

mdrashid/-

U		T	
---	--	---	--

