

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54720 of 2021**

Arising Out of PS. Case No.-201 Year-2015 Thana- KUDHNI District-
Muzaffarpur

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Anil Sahni @ Anil Sahani S/O Late Baijnath Sahni R/O Village-Badichak
Dihi, P.S-Maker, District-Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner : Mr. Sunil Prasad Singh, Advocate

For the State : Mr. Akshay Lal Pandit, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 06-04-2022 Let the defects, as pointed out by the office, be

removed within four weeks of starting of Court proceeding in

physical mode in normal course.

Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 147, 148, 149, 447, 341, 342,
323, 324, 427, 436, 435, 504 of the Indian Penal Code and 13, 16,
18, 19 and 20 of the U.A.P. Act and Section 3 of Damage to Public
Property Act.

As per prosecution case, it is alleged that on
06.06.2015 at about 15 hrs. 100 Maoist attacked base camp of
Gaiman India Ltd situated at Anant Kamtaul and assaulted
security guard and set on fire one AMW Dumper, one Paver, one



Bolero, AMW TM, two Bolerio Camper and one Bitumen Browser and for which Gaiman India Ltd. has suffered much loss.

Learned counsel for the petitioner submits that the petitioner is not named in the F.I.R. and the name of the petitioner has transpired on the basis of confessional statement of Sakal Dev Kumar @ Sakal Sahani and Raju Kumar Sahani. Further submitted that nothing has been recovered from the possession of the petitioner and the petitioner remanded in the case on 15.01.2021. Similarly situated co-accused namely Raju Kumar Sahni @ Langra has been granted bail vide order dated 03.02.2021 in Cr. Misc. No. 36226 of 2020 by a Coordinate Bench of the Hon'ble Court.

Learned APP for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Kurhni P.S. Case No. 201 of 2015, with 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 witness, 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)

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