

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54437 of 2021

Arising Out of PS. Case No.-97 Year-2015 Thana- DEWARIA District- Muzaffarpur

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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 Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sunil Prasad Singh

For the Opposite Party/s : Mr.Akshay Lal Pandit

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 17-05-2022 Heard both sides.

Petitioner seeks regular bail in connection with
Deoriya PS case No. 97 / 2015 registered under Section 25 (1-
b) a / 26 / 35 of the Arms Act, Section 16 / 17 / 18 / 20 / 22 / 23
of the U.A.P. Act and Section 3 / 4 / 5 of the Explosive
Substance Act.

As per the First Information Report Police got secret
information that some miscreants have assembled near the place
of occurrence and were planning to commit Naxal activity,
proceeded towards the place of occurrence and upon seeing the
police party the accused persons started fleeing away, however
three of them were arrested by the police and from their
possession fire arms, detonators, naxal literature etc. were
recovered. The name of the petitioner and others were disclosed



by the arrested co-accused persons.

Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case on the basis of disclosure of his name by the arrested co-accused persons and he has not committed any offence in the manner alleged. He next submits that arrested co-accused persons having similar allegation namely, Brajendra Kumar and Ram Naresh Sahni have been granted bail by different Co-ordinate Benches of this Court in Cr. Misc. Nos. 17183 / 2016 & 20827 / 2016 respectively (Annexure 2 to the bail petition). The petitioner is in custody since 13-02-2016 in connection with another case. The present FIR is of the year 2015 but the petitioner has been remanded in the present case after about 05 years on 15/01/2021.

Regard being had to the submissions made by the parties, taking into consideration the fact that similarly situated co-accused persons have been granted bail by this court , petitioner is in custody since 13-02-2016 / 15-01-2021 and charge sheet has already been submitted, as such, I am inclined to grant regular bail to the petitioner.

Let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 10000/- (ten



thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge – cum - Spl. Judge, Muzaffarpur in connection with Deoriya PS Case No. 97 / 2015 on the following conditions:-

(a) that one of the bailors shall be a close relative of the petitioner.

(b) that if the petitioner is found involved in future in similar type of case, the prosecution will be at liberty to make prayer for cancellation of his bail and the court below will pass necessary order including cancellation of bail.

(c) that the petitioner would participate in the court proceeding and in the event of being absent on two consecutive dates, the court below will be at liberty to cancel the bail bond of the petitioner.

(Anil Kumar Sinha, J)

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