

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14533 of 2023

Arising Out of PS. Case No.-471 Year-2019 Thana- MINAPUR District- Muzaffarpur

1. Mahesh Sahni @ Maichan Sahni, Son of Dhanai Sahni, R/O Village-Dharpur (In F.I.R. Wrongly Stated As Vijay Chapra), P.S.- Minapur, District-Muzaffarpur
2. Arvind Kumar, Son of Mahesh Sahni @ Maichan Sahni, R/O Village-Dharpur (In F.I.R. Wrongly Stated As Vijay Chapra), P.S.- Minapur, District-Muzaffarpur

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Jha, Advocate

For the Opposite Party/s : Mr. Akhileshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 19-05-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners in the present case are seeking pre-arrest bail in connection with Minapur P.S. Case No. 471 of 2019 registered for the offences punishable under Sections 342, 323, 452, 379, 354, 506/34 of the Indian Penal Code and Section 27 of the Arms Act. They have got one criminal antecedent being Minapur P.S. Case No. 61 of 2021 under Section 30(a) of the Bihar Prohibition and Excise Act in which they are on bail.

Learned counsel for the petitioners submits that from the FIR, it would appear that the main accused is Rambabu Sahni who had been threatening the informant, so far as these



petitioners are concerned, they have been made accused along with Rambabu Sahni and some others alleging that they had also surrounded the house of the informant and made firing during the night hours. Learned counsel submits that the allegations are general and omnibus, hence, these petitioners deserve privilege of anticipatory bail.

Learned APP for the State has opposed the prayer for anticipatory bail of the petitioners. It is submitted that the petitioners have got one criminal antecedent.

Having regard to the facts and circumstances of the case and on finding that the criminal antecedent is of the year 2021, so far as the present case is concerned, it was lodged in the year 2019 and in this case, the petitioner is not named as one engaged in sale of illicit liquor and further the allegations are general and omnibus, this Court directs that in case of their arrest or surrender within a period of four weeks from today, the petitioners above named be released on bail in connection with Minapur P.S. Case no. 471 of 2019 on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned J.M. 1st Class, Muzaffarpur, East Muzaffarpur, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

And further condition that the court below shall verify



the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. 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.

This application stands allowed.

(Rajeev Ranjan Prasad, J)

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