

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17849 of 2023

Arising Out of PS. Case No.-825 Year-2022 Thana- TURKAULIYA District- East
Champaran

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RAKESH SAHANI @ RAKESH KUMAR SON OF BHUTI SAHANI @
RAJENDRA SAHANI R/O VILLAGE- RAGHUNATHPUR, P.S.-
RAGHUNATHPUR, DISTRICT- EAST CHAMPARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sharda Nand Mishra, Adv.

For the Opposite Party/s : Mr.Kumar Ranjit Ranjan, APP.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 06-07-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered
for the offences punishable under Sections 399, 402, 414 of the
Indian Penal Code and Sections 25(1-b)a, 26, 35 of the Arms
Act.

The prosecution, in short, is that on 23.08.2022, on the
basis of secret information, the informant along with other
police officers reached at the alleged shop. After seeing the
police, the accused persons including this petitioner tried to flee
away, but on chase four accused persons were apprehended and
the rest co-accused persons including this petitioner were
succeeded in fleeing away. Many incriminating articles have



been recovered from the physical possession of the apprehended co-accused.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. No such occurrence as alleged ever took place. He has been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He has been made accused in the present case merely on the basis of confessional statement of apprehended co-accused persons. Similarly situated co-accused, namely, Raja Sahani has been enlarged on bail by a co-ordinate bench of this court vide order dated 15.05.2023 passed in Cr. Misc. No. 12019 of 2023. Petitioner has two criminal antecedents as mentioned in para-3 of this application.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, as similarly situated co-accused has been granted bail, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court



below where the case is pending/successor Court in connection with Turkauliya (Banjariya) P.S. Case No. 825 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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