

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24059 of 2023

Arising Out of PS. Case No.-235 Year-2022 Thana- SIMRI District- Darbhanga

Mahesh Kumar Sahni @ Mahesh Kumar Son Of Sri Ramji Sahni R/V- Usti,
PS- Paroo, Dist- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Awnish Kumar, Adv.

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 05-06-2023 Let the defect(s), if any, be removed within two
weeks from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Simri P.S. Case No. 235 of 2022 lodged under Sections 398,
399, 402, 420, 120(B) of the I.P.C. and Sections 25(1-b)a, 26, 35
of the Arms Act.

As per the prosecution case, the S.H.O. of the Simri
P.S. upon getting information that one i-20 car bearing
Registration No. BR-031 AJ-9463 used to come in the morning
and after commission of crime used to return. On the said
information, a raid was conducted. In the said raid, the i-20 car
was recovered, from which four persons were apprehended,

including the present petitioner.

Learned counsel for the petitioner submits that from the content of the F.I.R. it has become crystal clear that recovery of arms took place from accused Sudhansu Kumar and from the possession of the petitioner a screen touch mobile was recovered. Counsel submits that from the seizure list, the alleged recovery against the petitioner has been shown.

Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. He further submits that petitioner is in custody since 02.12.2022 having clean antecedent.

Learned counsel for the State opposes the prayer for bail and submits that petitioner, along with other accused persons, used to commit *loot* and *dacoity* in connivance with each other.

Upon specific query that whether charge has been framed or not, counsel submits that he is not aware of the fact that whether charge has been framed or not in this case.

In the present facts and circumstances of this case and the submissions made above, I am not inclined to grant bail to the petitioner.

Liberty is hereby granted to the petitioner that he may

renew his prayer for bail, after framing of charge.

Trial Court is directed to release the petitioner on bail afterthat, imposing its own conditions, so that he may not evade his appearance during trial.

With this observation, the bail application stands rejected.

(Dr. Anshuman, J.)

Ashishsingh/-

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