

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39176 of 2023

Arising Out of PS. Case No.-369 Year-2022 Thana- BOCHAHAN District- Muzaffarpur

SHIV SHANKAR SAHANI S/O LATE BADRI SAHANI R/O Village-
Muradpur Kashi, P.S- Bochachan, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Ranjan

For the Opposite Party/s : Mr. Choubey Jawahar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 11-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 379, 414 and 120(B) of the Indian Penal Code and Section 25(1-b)a, 26 and 35 of Arms Act pending in the learned court below.

3. As per the prosecution case, a wanted accused of Bhinwande Taluka P.S. Case No. 0428/2022, dated 07.08.2022, namely, Vinod Kumar Sahani was arrested on 07.09.2022 and on his pointing out illegal arms were recovered from the house and car of the present petitioner and there the one of the present petitioner, namely, Suner Lal Sahani was also arrested and arms and ammunition and car were seized from his house after noticing the police vehicle. On the basis of these allegations the instant case was registered against the present petitioner and



other co-accused persons.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He further submits that the petitioner is a chairman of Vajjikanchal Bhrashtachar Unmoolan Morcha and several case has been lodged against the police for his corrupt practice due to this reason police has falsely implicated in the instant case. He submits that the informant, namely, Arvind Kumar, who is S.H.O. of Bochahan Police Station against whom the informant had filed an RTI application seeking his property detail. He further submits that petitioner has got 12 criminal antecedents as stated in para-3 of the bail application.

5. Learned APP for the State opposes for prayer for bail and submits that the police has recovered arms and ammunitions from the house or from the conscious possession of the petitioner. Hence, he does not deserve anticipatory bail.

6. Considering the aforesaid facts and circumstances, let the petitioner, named above, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount to the



satisfaction of the learned Court below, where the case is pending/Successor court, in connection with Bochachan P.S. Case No.369/2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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