

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65808 of 2023

Arising Out of PS. Case No.-876 Year-2017 Thana- SITAMARHI District- Sitamarhi

Ranjit Sahni @ Ranjit Kumar Sahni, Son Of Binda Sahni, Resident Of
Village- Madhuban Kanti, PS-Meenapur, Distt- Muzaffarpur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Preety Kunwar, Advocate

For the Opposite Party/s : Mr. Bharat Lal, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 19-10-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner in the present case is seeking pre-arrest bail in connection with Sitamarhi (Mehsaul O.P.) P.S. Case No. 876 of 2017 registered for the offences punishable under Sections 379, 420 of the Indian Penal Code and Section 66(c) of the Information and Technology Act. He has got two criminal antecedents.

3. As per the prosecution story, the informant went to withdraw money from the ATM situated at Azad Chawk, Mehraul and checked his balance and returned. It is further alleged that the informant received message on his mobile regarding withdrawal of Rs.19,000/- thereafter he saw three persons counting money and tried to catch hold of them but only one got apprehended who disclosed his name as Dharamnath



Sahni and from his pocket Rs.19,000/- , some ATM Cards and PAN cards were recovered and he also disclosed the name of this petitioner and one another accused.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. It is submitted that the accused Dharamnath Sahni from whose pocket stolen money was recovered has been acquitted in this case and the name of this petitioner has transpired in the statement of accused Dharamnath Sahni.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Having regard to the submission that the name of this petitioner has transpired in the statement of the apprehended accused Dharamnath Sahni, stolen money was allegedly recovered from his pocket but Dharamnath Sahni has been acquitted in this case, this Court directs that in case of his arrest or surrender within a period of six weeks from today, the petitioner above named be released on bail in connection with Sitamarhi (Mehsaul O.P.) P.S. Case No. 876 of 2017 on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Sitamarhi, subject to



the conditions as laid down under Section 438(2) of the Cr.P.C.

7. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. 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.

8. This application stands allowed.

(Rajeev Ranjan Prasad, J)

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