

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.64257 of 2022**

Arising Out of PS. Case No.-158 Year-2022 Thana- SIMRI District- Darbhanga

=====

Vikas Kumar Sahni S/O Achchelal Sahni Resident of village- Madhuwan  
Kanti, P.S.- Meenapur, District- Muzaffarpur, (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Ravi Bhushan, Advocate

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

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA**  
**ORAL ORDER**

3      25-02-2023                      Heard learned counsel appearing on behalf of the  
  
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period  
  
of four weeks from today.

The petitioner seeks bail in connection with Simri P.S.  
  
Case No. 158 of 2022 registered for the offence under Sections  
  
467, 468, 414, 420 and 34 of the Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in  
  
custody since 24.08.2022.

The allegation against the petitioner is to have in  
  
possession of 29 ATM Cards without any just explanation,  
  
where it is alleged that petitioner to have indulged in



withdrawing the money from the ATM by using fraudulent means.

Learned counsel appearing on behalf of the petitioner submitted that the alleged recovery of 29 ATM Cards were not made from the conscious physical possession of this petitioner. It is also pointed out that seizure list appears doubtful, being not supported by independent witnesses, rather by police personnels. While concluding the argument, it has been submitted that as per paragraph no. 31 of the case diary, the antecedent of petitioner is clean and, as such, it cannot be said that petitioner is habitual offender and moreover, investigation of this case has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP for the State opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as seizure list appears doubtful, being not supported by independent witnesses coupled with the fact that charge-sheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Simri P.S. Case No. 158 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount



each to the satisfaction of learned Judicial Magistrate,  
Darbhanga/concerned court, subject to the conditions as  
mentioned under Section 437 (3) of the Cr.P.C.

**(Chandra Shekhar Jha, J)**

pooja/-

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