

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70763 of 2022

Arising Out of PS. Case No.-171 Year-2020 Thana- BEERPUR District- Begusarai

Dharmendra Sahni, S/O Late Damodar Sahni, R/O Village- Sahuri, P.S-
Birpur, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Suneil Kumar Thakur, Advocate

For the Opposite Party/s : Mr. Amit Kumar Rakesh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 29-03-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

In the present case, the petitioner seeks bail in connection with Birpur P.S. Case No. 171 of 2020 registered for the alleged offences under Sections 395, 397 and 120(B) of the Indian Penal Code.

As per prosecution case, a robbery was committed in a bank and miscreants took away Rs. 6,65,570/- in cash. They also opened fire in the bank premise. The name of the petitioner surfaced during investigation as one of the accused persons.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case. The house of the petitioner is situated near the vicinity of the bank and the bank staff are acquainted with the petitioner. So, if the petitioner



were involved in this case, they would certainly have named the petitioner for his involvement. The petitioner has been named in this case in the confessional statement of co-accused Chandan Paswan. A number of co-accused persons have been granted bail by different Coordinate Benches vide orders dated 21.03.2022, 30.03.2022, 07.04.2022, 18.04.2022 and 28.04.2022 passed in Cr. Misc. No. 46531 of 2021, Cr. Misc. No. 38950 of 2021, Cr. Misc. No. 44633 of 2021, Cr. Misc. No. 55897 of 2021 and Cr. Misc. No. 45682 of 2021, respectively. Charge sheet has been submitted in this case and the petitioner is in custody since 21.03.2022

Learned A.P.P. for the State opposes the prayer for bail of the petitioner submitting that the petitioner is a habitual offender and two cases of Excise Act and Arms Act, respectively are pending against this petitioner.

Having regard to the facts and circumstances and submission made on behalf of the parties and considering the lack of substantive material against this petitioner to connect him with the offence as alleged and also considering the submission of charge sheet along with period of custody of the petitioner, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty



thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. Vith, Begusarai in connection with Birpur P.S. Case No. 171 of 2020, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the following conditions:

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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