

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11339 of 2024

Arising Out of PS. Case No.-107 Year-2016 Thana- MUSRIGHRARI District- Samastipur

Jaimangal Sahni Son Of Late Yogendra Sahni R/O-Panchbhirva, P.S.-
SARAIYA, Distt.-MUZAFFARPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Santosh Kumar, Advocate

For the Opposite Party/s : Mr.Parmeshwar Mehta, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 23-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Musrigharari P.S. case
No. 107 of 2016 instituted for the offences under Sections 285,
379, 34 of the Indian Penal Code and Section 7 of E.C. Act.

3. Prosecution case, in short, is that the accused
persons were committing theft of gas from tank lorry and when
the police reached, taking benefit of darkness, the accused
persons fled away.

4. Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in the present case.
Charge-sheet has been submitted in this case. The petitioner is
not named in the F.I.R. The name of the petitioner has transpired



as being driver of the said vehicle. No incriminating material has been recovered from the conscious possession of the petitioner. The petitioner is in custody since 26.11.2023 and has no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, the period of custody undergone by the petitioner and the clean antecedent of the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Musrigharari P.S. case No. 107 of 2016.

(Rudra Prakash Mishra, J)

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