

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15552 of 2024

Arising Out of PS. Case No.-167 Year-2022 Thana- BIRAUL District- Darbhanga

Raja Sahani@ Munna Maikal S/o Mahesh Sahani R/o - Lohiya Nagar, Ward
No. 28, P.S. - Lohiya Nagar Mufsil, Dist. - Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Arun Tiwari, Advocate
For the State : Mr. Parmanand Prasad, APP

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

ORAL ORDER

2 12-03-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Biraul
P.S. Case No. 167 of 2022 instituted for the offence under
Sections 413, 414 & 212 of the Indian Penal Code.

3. Prosecution case in short is that police raided the
house of co-accused Sahnawaz Alam @ Sonu. Though he was
not found in his house but a lady, who attempted to flee away,
was apprehended by the police and approximately one lakh
ruppes was recovered from her possession. She disclosed her
name as Firdaus @ Afroji and apprised that her son Sahnawaz
Alam @ Sonu has given that money to her, after committing
loot in the branch of Punjab National Bank.



4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 08-11-2023. Petitioner bears seven criminal antecedents, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Name of the petitioner has transpired on the basis of confessional statement of co-accused, namely, Md. Rahmat, who has been granted bail by a Co-ordinate Bench of this Court *vide* order dated 09-10-2023, passed in Cr. Misc. No. 62743 of 2023. Other co-accused have been granted bail by a Co-ordinate Bench of this Court, passed in Cr. Misc. No. 64547 of 2023, Cr. Misc. No. 62148 of 2023, Cr. Misc. No. 45350 of 2023, Cr. Misc. No. 5697 of 2023 & Cr. Misc. No. 58256 of 2022.

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

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner and claim based on parity, this Court is inclined to grant bail to the petitioner.

8. 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 Biraul P.S.
Case No. 167 of 2022, subject to the following conditions:

- (I) One of the bailors shall be own/close member of the family of the petitioner.
- (II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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