

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38106 of 2024

Arising Out of PS. Case No.-176 Year-2021 Thana- SARAI RANJAN District- Samastipur

Baidyanath Sahni, aged about 43 years, Male, Son of Sahvir Sahni, Resident of Village- Dadanpur, P.S- Tajpur, Dist- Smastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan, Advocate

For the Opposite Party/s : Mr.Md. Iftekhar Mahmood, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 20-09-2024 Heard Mr. Rajeev Ranjan, learned counsel appearing on behalf of the petitioner and Mr. Md. Iftekhar Mahmood, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection with Sarairanjan P.S. Case No. 176 of 2021 registered for the offence(s) punishable under Section 392 of the Indian Penal Code.

3. As per the allegation made in the FIR, the informant was intercepted by the culprits and thereafter they snatched away Rs.25,000/- from his pocket on the gun point.

4. Learned counsel appearing on behalf of the petitioner submitted that petitioner is innocent and has falsely been implicated in the present case. Petitioner is not named in the FIR and name of the petitioner has surfaced in this case on the basis of confessional statement of co-accused Rakesh Kumar



and confessional statement made before police has no evidentiary value. Similarly situated co-accused has also been granted bail by this Court *vide* Annexure 2.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. In the facts and circumstances of the case, the petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned ACJM III, Samastipur in connection with Sarairanjan P.S. Case No. 176 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. The learned District Court is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases, as what has been stated in paragraph no.3 of the bail application, this order will automatically lose its force.

(Purnendu Singh, J)

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