

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37054 of 2024

Arising Out of PS. Case No.-482 Year-2023 Thana- SITAMARHI District- Sitamarhi

Sanjog Kumar @Sanyog Sahni Son of Ramnath Sahni R/O Village- Bara
Bharti P.S.-Minapur District-Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ramakant Sharma, Sr. Advocate Mr. Rakesh Kumar Sharma
For the Opposite Party/s	:	Mrs. Sharda Kumari, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 06-09-2024 Heard learned senior counsel appearing on behalf of the
petitioner and learned A.P.P. for the State.

02. In the present case, the petitioner is apprehending his arrest in connection with Sitamarhi P.S. Case No. 482 of 2023, registered for the alleged offences under Sections 379, 413, 414, 419, 420, 467/34 of the Indian Penal Code.

03. As per prosecution case, police received secret information about assembling of a gang indulging in changing the ATM cards and withdrawing the money from the account of innocent persons. A raid was conducted at the identified place near an ATM and 07 persons were found there out of which five of them were apprehended and two persons made good their escape. From the apprehended co-accused persons recovery of ATM Cards, cash, POS machine were made apart from mobile phones,



motorcycle etc.

04. Learned senior counsel appearing on behalf of the petitioner submits that petitioner is innocent and has been falsely implicated in this case. Learned senior counsel further submits that there is no specific allegation made by the police against the petitioner and he has been made accused merely on the basis of confessional statement of co-accused persons who have granted regular bail. From the FIR, it is evident that nothing incriminating has been recovered from the person or possession of this petitioner. He has been named in this as his brother is one of the apprehended co-accused persons, namely Shekhar Kumar. The petitioner is having clean antecedent. Learned senior counsel further submits that from the facts of the case, no offence as alleged is made out against the petitioner. Other co-accused persons have granted anticipatory/regular bail by different Co-ordinate Benches and by this Court as well vide order dated 29.11.2023 passed in Criminal Misc. No. 74383 of 2023, order dated 01.12.2023 passed in Criminal Misc. No. 97094 of 2023, order dated 02.01.2024 passed in Criminal Misc. No. 72050 of 2023, order dated 05.01.2024 passed in Criminal Misc. No. 70944 of 2023 and order dated 23.02.2024 passed in Criminal Misc. No. 10458 of 2024.

05. Learned A.P.P. for the State opposes the prayer for



anticipatory bail.

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the remoteness of allegation against the petitioner and probability of false implication, let the petitioner above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi in connection with Sitamarhi P.S. Case No. 482 of 2023,, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure and other 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, if so required by the learned trial court.

(Arun Kumar Jha, J)

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