

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37887 of 2024

Arising Out of PS. Case No.-198 Year-2018 Thana- SARAI RANJAN District- Samastipur

SANJAY KUMAR SAHNI @ SANJAY KUMAR S/O SATAN SAHNI R/O -
VILL- BEDAULIA, P.S- MUSAHARI, DIST- MUZAFFARPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raju Kumar, Adv.

For the Opposite Party/s : Mr.Syed Mojibur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

- 2 19-07-2024 1. Heard the learned counsel for the petitioner and the learned APP for the State.
2. The present petition has been filed for grant of regular bail in connection with Sarairanjan P.S. Case No.198 of 2018, registered for the offences punishable under Sections 376 and 461 of the Indian Penal Code.
3. The case of the prosecution is that theft had taken place in the night of 11.12.2018 in the godown of the informant and 26 pc mobiles, 2 laptops, 2 hard disks, 40 pc memory cards and a sum of Rs.80,000/- was stolen. It appears that during the course of investigation, it was found subsequently that the stolen mobile handset was being used by means of a sim card, registered in the name of the co-accused person, namely, Kanti Devi, while another stolen mobile handset was being used by



means of a sim card, registered in the name of the co-accused person, namely, Sanyog Kumar.

4. The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is languishing in custody since 27.02.2024. It is also submitted that the petitioner is an accused in three other cases but he is on bail in all the said cases. The learned counsel for the petitioner has further submitted that after the petitioner was arrested in connection with Mushahari P.S. Case No.338 of 2023, he has been remanded in the present case, however the fact remains that no recovery of looted articles have been made from the petitioner. Lastly, it is submitted that the aforesaid co-accused person, namely, Kanti Devi has already been granted the privilege of anticipatory bail by this Court, vide order dated 07.06.2022, passed in Cr. Misc. No.22411 of 2022, hence the petitioner be granted the privilege of regular bail.

5. Per contra, the learned A.P.P. for the State has vehemently opposed the prayer of the petitioner for grant of regular bail.

6. Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel



for the petitioner and taking into account the materials available on record as also considering the fact that the petitioner is languishing in custody since 27.02.2024 and no recovery of the looted articles have been made from the petitioner, apart from the fact that he has been remanded in the present case after he was arrested in one another case and he is not named in the F.I.R., I deem it fit and proper to admit the petitioner to the privilege of regular bail.

7. Accordingly, the petitioner, above named, is directed to be released on regular bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Samastipur in connection with Sarairanjan P.S. Case No.198 of 2018.

(Mohit Kumar Shah, J)

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