

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42226 of 2024

Arising Out of PS. Case No.-89 Year-2014 Thana- LAUKAHI District- Madhubani

Pawan Sah @ Pawan Kumar Sah Son Of Sant Lal Sah Resident Of Village -
Chhajana, P.S. - Laukahi, District - Madhubani

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ratnakar Jha, Advocate

For the Opposite Party/s : Mr. Umeshanand Pandit, A.P.P.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 25-09-2024 Heard Learned Counsel for the petitioner and
Learned A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
S.T. No. 599 of 2023 arising out of Laukahi P.S. Case No. 89 of
2014 (G.R. No. 955 of 2014), lodged on 21.06.2014 under
Sections 414, 307, 353, 323 and 333 of the Indian Penal Code
and Section 27 of the Arms Act.

3. As per the prosecution case, the F.I.R. has been
lodged against three named accused persons including the
present petitioner alleging therein that on the basis of a secret
information the police raided a place whereon seeing the police
party, the accused persons started fleeing away but upon chase
the police arrested them.

4. Learned Counsel for the petitioner submits that the



petitioner is innocent and has committed no offence. Counsel submits that upon bare reading of the FIR, there is no material against the petitioner except that police has disclosed about his antecedent and it has been said that the seized motorcycle alleged to be subject to theft, therefore, FIR has been lodged alleging that the petitioner and others were using a theft motorcycle. Counsel submits that the petitioner is ready to fulfill bail bond to the satisfaction of this Court. Counsel further submits that charge has already been framed. Counsel also submits that there are 25 criminal cases pending against the petitioner and the petitioner is in custody since 10.11.2020.

5. Learned Counsel for the State opposes the prayer for bail and submits that the petitioner has series of criminal cases pending against him as there are altogether 25 criminal cases are pending against the petitioner and out of 25 cases, there are in total five criminal cases related to Section 302 and four cases are related to Section 307 of the IPC. Counsel submits that the petitioner's name has been inserted in the FIR at the instance of police due to the reason that his antecedent is not clean and since his antecedent is not clean, therefore, this aspect may be taken into consideration at the time of consideration of prayer for bail.



6. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail, only on being satisfied by the trial court that the petitioner is not absconding in any of the cases which are pending against him whose details are mentioned below, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge- I, Jhanjharpur, in connection with S.T. No. 599 of 2023 arising out of Laukahi P.S. Case No. 89 of 2014 (G.R. No. 955 of 2014), subject to the following conditions as laid down under Section 437(3) of Cr.P.C.

7. Pending cases against the petitioner are as follows:-

- (i) Laukahi P.S. Case No. 05 of 2005
- (ii) Andramath P.S. Case No. 49 of 2011
- (iii) Laukahi P.S. Case No. 58 of 2011
- (iv) Laukahi P.S. Case No. 70 of 2011
- (v) Laukahi P.S. Case No. 81 of 2011
- (vi) Lakhnour P.S. Case No. 67 of 2013
- (vii) Ghoghardiha P.S. Case No. 83 of 2013
- (viii) Ghoghardiha P.S. Case No. 86 of 2013
- (ix) Jhanjharpur P.S. Case No. 146 of 2013



corresponding to G.R. No. 1447 of 2013

- (x) Laukahi P.S. Case No. 24 of 2014
- (xi) Laukahi P.S. Case No. 09 of 2014
- (xii) Laukahi P.S. Case No. 27 of 2014
- (xiii) Marauna P.S. Case No. 08 of 2014
- (xiv) Andramath P.S. Case No. 11 of 2014
- (xv) Fulparas P.S. Case No. 145 of 2014
- (xvi) Andramath P.S. Case No. 08 of 2015
- (xvii) Marauna P.S. Case No. 141 of 2015
- (xviii) Marauna P.S. Case No. 97 of 2016
- (xix) Ghoghardiha P.S. Case No. 82 of 2017
- (xx) Nirmali P.S. Case No. 83 of 2017
- (xxi) Ghoghardiha P.S. Case No. 116 of 2017
- (xxii) Marauna P.S. Case No. 01 of 2018
- (xxiii) Laukahi P.S. Case No. 191 of 2018
- (xxiv) Laukahi P.S. Case No. 19 of 2004
- (xxv) Laukahi P.S. Case No. 191 of 2019

(Dr. Anshuman, J.)

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