

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53630 of 2024

Arising Out of PS. Case No.-48 Year-2016 Thana- CHACKMEHSI District- Samastipur

Dinesh Sahni S/O Late Krishn Dev Sahni @ Kishundev Sahni Resident of
Village- Basantpatti, P.S- Chakmehshi, Distt.- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar, Advocate

For the Opposite Party/s : Mr. Rajendra Singh, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 28-08-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends arrest in connection with
Chakmehshi PS Case No. 48 of 2016 dated 16-05-2016,
instituted under Sections 341, 323, 342, 353, 379 and 504/34
of the Indian Penal Code.

3. The prosecution case, in short, is that while the
informant along with other police officer were doing the work
of seizing vehicles for the purpose of *Panchayat* Election 2016,
it is alleged that one vehicle bearing Registration No.
BR31B- 5474 was seized, but the driver of the vehicle, namely,
Dinesh Sahni, on the orders of owner of the vehicle, namely,
Gulab Sah taken the vehicle at the house of his owner. It is
further alleged that the owner, driver and other persons abused



and assaulted the informant then police came and save him.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. It is submitted that the allegation against the petitioner is totally false and fabricated. The vehicle was not seized rather it was standing in front of the house of the owner. It is next submitted that co-accused, who is owner of the vehicle in question, namely, Gulab Sah and his wife Reena Devi have been granted the privilege of anticipatory bail by a Co-ordinate Bench of this Court *vide* order dated 29-08-2016 passed in Cr. Misc. No. 33481 of 2016 (Annexure-2). It is submitted that petitioner has no knowledge about the pendency of the instant case and the petitioner had gone to Punjab for his livelihood and he came from Punjab half yearly, and as such, he had not taken legal recourse. Lastly, it is submitted that petitioner has no criminal antecedents.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two



sureties of the like amount each to the satisfaction of the learned
ACJM- 1, Samastipur, in Chakmehshi PS Case No.48 of 2016,
subject to the conditions laid down in Section 438(2) of the
Code of Criminal Procedure, 1973.

7. The application stands allowed.

(Khatim Reza, J)

shyambihari/-

U		T	
---	--	---	--

