

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57622 of 2024

Arising Out of PS. Case No.-257 Year-2023 Thana- RAGHOPUR District- Vaishali

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1. Dilip Sahni @ Dilip Kumar S/O Late Rajendra Sahni R/O Village- Sabalpur Banshtal, P.S- Nadi, Distt.- Patna.
 2. Deepak Sahni S/O Tunu Sahni R/O Village- Sabalpur Banshtal, P.S- Nadi, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 06-09-2024 Heard Mr. Dileep Kumar, learned counsel for the

petitioners and Mr. Awadhesh Kumar Singh, learned APP for the

State.

2. The petitioners are apprehending their arrest in
connection with Raghopur P.S. Case No. 257 of 2023, F.I.R.
dated 26.10.2023 registered for the offences punishable under
Section 379 of the Indian Penal Code.

3. The F.I.R. of the occurrence of theft is against
known.

4. Learned counsel for the petitioners submits that the
petitioner no. 1, namely, Dilip Sahni @ Dilip Kumar has clean
antecedent and petitioner no. 2, namely, Deepak Sahni carries
one more case other than the present one and they have been



falsely implicated in the present case. Petitioners are not named in the F.I.R. and the name of the petitioners have been transpired during investigation on the basis of the confessional statement of co-accused person namely, Vikku Kumar and except the confessional statement of co-accused person, no other cogent material has come during investigation to suggest the involvement of the petitioners in the present occurrence. He further submits that co-accused person namely Lallu Mahto, Ravi Sahni and Hira Sahni have been granted the privilege of anticipatory bail by this Court vide order dated 26.06.2024 passed in Cr. Misc. No. 38336 of 2024.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioners.

6. Considering the facts and circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-IV, Vaishali at Hajipur in connection with Raghapur P.S. Case No. 257 of 2023, subject to the conditions as laid down under Section



438(2) of the Code of Criminal Procedure and with other following conditions :-

(1) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(2) If the petitioners tamper with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

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(Rajesh Kumar Verma, J)

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