

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64518 of 2024

Arising Out of PS. Case No.-319 Year-2023 Thana- DALSINGHSARAI District- Samastipur

1. Bipin Sahni Son of Laxmi Sahni Resident of Village - Lallu Pokhar Kali Asthan, Ward 31, P.S. - Kasim Bazar, District - Munger
2. Pradeep Kumar Son of Laddu Lal Sahani Resident of Village - Manjhaul Bichkhana Ward No.14, P.S. - Cheriabariyarpur, District - Begusarai
3. Rajesh Kumar @ Rajesh Kumar Sahni Son of Laddu Lal Sahni Resident of Village - Manjhaul Bichkhana Ward No.14, P.S. - Cheriabariyarpur, District - Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Randhir Kumar No 1

For the Opposite Party/s : Mr.Binod Kumar

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 26-10-2024 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners have prayed for grant of bail in connection with Dalsinghsarai P.S. Case No. 319 of 2023 registered under sections 457 and 380 of the Indian Penal Code but later on, charge sheet has been submitted under Section 411 of the Indian Penal Code.

3. The case of prosecution is that on the date of occurrence, theft was committed in the house of the informant and in that theft, Rs. 8,000/- and some cash along with some ornament were stolen. The case was registered against unknown



miscreants.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. They have falsely been implicated in this case. It has further been argued that the date of occurrence is 03.08.2023 whereas the FIR was lodged on 07.08.2023 i.e., four days inordinate delay without explaining the same. The name of the petitioners has surfaced in the confessional statement of co-accused Vikash Kumar. Neither they are named in FIR nor anything has been recovered from their possession. They are having eighteen criminal antecedents and in respect of this, learned counsel for the petitioners has argued that from perusal of the list of the antecedents of the petitioners, it will be crystal clear that after apprehending the petitioners in this case, they had been lodged in other cases. The chronology of these cases goes to show that there is force in the argument of the learned counsel for the petitioners in this regard. Moreover, the petitioners are languishing in judicial custody since 20.10.2023.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of this case, the Court is



inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail in connection with Dalsinghsarai P.S. Case No. 319 of 2023 on each of them furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned J.M. 1st Class, Dalsinghsarai, Samastipur with a condition:-

(i) Petitioners shall co-operate in the trial and shall be present on each and every fixed date in the trial Court.

(Ashok Kumar Pandey, J)

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