

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66985 of 2024

Arising Out of PS. Case No.-142 Year-2021 Thana- BALIGAON District- Vaishali

1. Arvind Sahni @ Arbind Sahni Son of Shiv Shankar Sahni Village-Peyarepur, ward no. 7, P.S.- Baligaon, Dist.- Vaishali, Bihar
2. Sharvan Sahni @ Shravan Sahni Son of Shiv Shankar Sahni Village-Peyarepur, ward no. 7, P.S.- Baligaon, Dist.- Vaishali, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 04-12-2024 Heard Learned Counsel for the petitioners and
Learned A.P.P. for the State.

2. The petitioners seek regular bail in connection with Baligaon P.S. Case No. 142 of 2021, lodged on 16.12.2021, for the offences punishable under Section 392 of the Indian Penal Code.

3. As per the prosecution, the FIR has been lodged against four unknown accused persons against whom there is an allegation that they have snatched Rs. 1,19,483/-, one Samsung Tab and Bio-metric machine from the informant.

4. Learned Counsel for the petitioners submits that the petitioners are innocent and have committed no offence.



Counsel submits that their name has been figured in this case by virtue of confessional statement of the co-accused. Counsel further submits that Aadhar Card and Pan Card has been recovered from possession of the petitioners, but in the FIR there is no statement that Aadhar Card and Pan Card of the informant have been taken away. Counsel further submits that the petitioners have not been put on Test Identification Parade till date. Counsel further submits that four co-accused persons have already been granted bail by this Court as well as by the Co-ordinate Bench of this Court which is annexed as Annexure-P/2 series and this aspect may be taken into consideration. In this background, the petitioners deserve bail.

5. Learned APP for the State opposes the prayer for bail and submits that case diary has been called for, and in the reinstatement, it has been categorically mentioned that the purse, which contained a Tab, Aadhar Card and Pan Card, was taken away by the snatchers and has been recovered from the possession of the petitioners. Counsel further submits that the criminal antecedent of the petitioners is not clean. The petitioner No. 1 has eight criminal antecedents and the petitioner No. 2 has 16 criminal antecedents, though it has been claimed that the petitioners are on bail in all cases pending against them.



6. In the present facts and circumstances of this case and the submissions made above, this Court is not inclined to grant bail to the petitioners. Therefore, the bail application of the petitioners is hereby rejected with liberty granted to the petitioners that they may renew their prayer for bail one year after framing of charge.

(Dr. Anshuman, J)

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