

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66775 of 2024

Arising Out of PS. Case No.-207 Year-2024 Thana- LALGANJ District- Vaishali

Dinesh Sahni Son of Late Kira Sahni Resident of Village - Lakshmi Narayanpur, P.S. - Lalganj, District - Vaishali, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 75109 of 2024

Arising Out of PS. Case No.-207 Year-2024 Thana- LALGANJ District- Vaishali

Gautam Kumar Son of Dinesh Sahni Resident of Village- Lakshmi Narayan Pur, PS- Lalganj, District- Vaishali at Hajipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

66775=====

Appearance :

(In CRIMINAL MISCELLANEOUS No. 66775 of 2024)

For the Petitioner/s : Ms. Soni Shrivastava, Adv.
Ms. Sarandha Suman, Adv.
Ms. Aditi Sharma, Adv.

For the Opposite Party/s : Mr. Anil Kumar Singh No. 1, APP

(In CRIMINAL MISCELLANEOUS No. 75109 of 2024)

For the Petitioner/s : Mr. Niranjana Parihar, Adv.
For the Opposite Party/s : Mr. Nagendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

4 29-11-2024 As both the criminal miscellaneous petitions have arisen out of same P.S. case, hence they are being decided together by a common order.

2. Heard Ms. Soni Shrivastava, learned counsel appearing for the petitioner, namely, Dinesh Sahni and Mr.



Niranjan Parihar, learned counsel appearing for the petitioner, namely, Gautam Kumar and Mr. Anil Kumar Singh No. 1 and Mr. Nagendra Prasad, learned APPs appearing for the State.

3. Petitioners seek regular bail in connection with Lalganj P.S. Case No. 207/2024 dated 15.07.2024 registered for the offences punishable under Sections 308(5) and 308(4) of the Bharatiya Nyaya Sanhita, 2023.

4. Ms. Soni Shrivastava, learned counsel appearing for the petitioner Dinesh Sahni submits that the case of this petitioner is completely identical to the case of two co-accused persons, namely, Anil Rai @ Anil Kumar and Aayush Raj @ Chandan Sah @ Chandan Kumar who have been granted bail by this Court vide orders passed in Cr. Misc. Nos. 64870/2024 and 69173/2024 respectively and so far as the petitioner's involvement in the alleged extortion demand is concerned, the FIR has been registered against unknown giving the details of four mobile numbers which were allegedly used in making phone calls to the informant but the petitioner has no concern to all these mobile numbers and in this regard, he has made specific statement in his petition and in respect of petitioner's involvement in the alleged crime, the prosecution is mainly relying upon the confessional statement of co-accused Hunny @



Bhola and Pramod Kumar and except this, there is no material to show the petitioner's connection to the alleged crime. Learned counsel further submits that the petitioner has been languishing in jail since 25.07.2024, having fair and clean antecedent and against him, the investigation has been completed and there is no direct evidence to show the petitioner's involvement in the alleged crime.

5. Mr. Niranjan Parihar, learned counsel appearing for the petitioner Gautam Kumar adopts all the above submissions except the criminal antecedent of this petitioner and he submits that against this petitioner, there is one criminal antecedent which relates to the offence under section 302 of the IPC in which he is on bail and the instant matter relates to a different nature of offence and the petitioner has been languishing in jail since 25.07.2024 and against him, the investigation has been completed.

6. Though Mr. Anil Kumar Singh No. 1 and Mr. Nagendra Prasad, learned APPs appearing for the State have opposed the bail prayer of both the petitioners but fairly accepted that the case of both the petitioners is identical to the above-mentioned co-accused persons who are on bail.

7. Considering the facts and circumstances of this



case and mainly the completion of investigation against the petitioners as submitted above, and also, the fact that the instant matter relates to extortion demand made by using some mobile numbers of which details has been given in the FIR but the prosecution has not revealed any material to connect both the petitioners to the alleged mobile numbers, in my opinion, it is a fit case for bail to the petitioners. Accordingly, let the petitioners named-above be released on bail on furnishing bail bonds of Rs.20,000/-(Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of the concerned Court in connection with Lalganj P.S. Case No. 207/2024.

(Shailendra Singh, J)

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