

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78907 of 2024

Arising Out of PS. Case No.-239 Year-2023 Thana- BIDUPUR District- Vaishali

Laxman Sahni @ Laxman Sahani Son of Nawal Sahni @ Nawal Sahani
Village- Salempur P.S.- Lalganj Distt.- Vaishali at Hajipur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shyamli Kumari
For the Opposite Party/s : Mr. Jharkhandi Upadhyay

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 13-11-2024 Heard learned counsel for the petitioner and
learned A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Bidupur P.S. Case No. 239 of 2023 dated 17.04.2023 registered for the offences punishable u/s 399 and 402 of the Indian Penal Code and Sections 25(1B)a, 26 and 35 of the Arms Act.

3. As per the prosecution case, the co-accused persons were apprehended by the police personnel while the petitioner along with the co-accused persons were assembled for the purpose of committing *dacoity*. On search, one country made pistol and a live cartridge were



recovered from the possession of the co-accused, Md. Sahil, one country-made pistol and a live cartridge were recovered from the possession of the co-accused, Md. Sadam and a live cartridge was recovered from the right pocket of the co-accused, Md. Saddam Hussain pant.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. The other co-accused person has already been granted bail by this court *vide* order dated 16.08.2023 passed in Cr. Misc. No. 50488/2023. The petitioner has three antecedents which are related to Excise Act as stated in para 3 of the bail petition. The petitioner is in custody since 24.07.2024

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the



satisfaction of learned Court concerned, Vaishali at Hajipur
in connection with Bidupur P.S. Case No. 239 of 2023.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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