

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5067 of 2025

Arising Out of PS. Case No.-592 Year-2024 Thana- MUZAFFARPUR TOWN District-
Muzaffarpur

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Pankaj Sahni Son of Rajindra Sahni @ Rajendra Sahni Resident of Village -
Basant Benipur, P.S. - Aurai, District - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shashank Shekhar, Adv.

For the Opposite Party/s : Mr.Nirmal Kumar Sinha, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 08-04-2025 Heard learned counsel for the petitioner and learned

APP for the State. Perused the case diary called for in Cr. Misc.

No. 1246 of 2025.

2. The petitioner seeks bail in connection with Town
P.S. Case No. 592 of 2024 instituted for the offences under
Sections 303(2), 317(2), 317(5), 111, 338, 336(3), 313, 61(2) of
the B.N.S.

3. As per prosecution case, the accusation against the
accused persons including the petitioner is of committing theft
of motorcycle and, thereafter, selling the same to other accused
persons.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged



against him and has falsely been implicated in the present case. The petitioner has no concern with the alleged occurrence or with the gang involved in the theft. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. As per allegation, one Lakshmi Sah got arrested by the police and, on query, he disclosed that he sold the HF Deluxe bike to the petitioner with the help of one Ganesh Kumar Singh. The petitioner is not connected with the alleged crime and, at best, he has only purchased the bike from Ganesh Kumar Singh and he was completely unaware about the fact that the said bike was stolen one. The name of the petitioner has surfaced in this case on the basis of the disclosures made by the co-accused persons on the basis of which, the alleged bike was recovered from the house of the petitioner. Except confessional statement of the co-accused before the police, there is nothing against the petitioner. The petitioner has three criminal antecedents and is languishing in judicial custody since 27.09.2024 without any rhymes or reason. Charge-sheet has been submitted in this case.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner, stating that the offence alleged is serious in nature. The police



has recovered the stolen alleged motorcycle from the house of the petitioner. The Investigating Officer, after completion of investigation, has submitted charge-sheet under Sections 303(2), 317(2), 317(5), 111, 338, 336(3), 313, 61(2) of the B.N.S. The petitioner is named in the F.I.R. and has three criminal antecedents and, hence, he does not deserve bail.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Town P.S. Case No. 592 of 2024.

(Rudra Prakash Mishra, J)

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