

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5503 of 2025

Arising Out of PS. Case No.-56 Year-2022 Thana- BHAGWANPUR District- Vaishali

Rajeev Sahani S/O Ramchandra Sahni R/O Vill.- Bhatauli Anrudh P.S. -
Bhagwanpur Dist.- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Ramesh Chandra, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 31-01-2025 Heard Mr. Rajesh Kumar, learned counsel for the

petitioner and Mr. Ramesh Chandra, learned Additional Public

Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Bhagwanpur P.S. Case No. 56 of 2022, F.I.R. dated 06.03.2022 for the offences punishable under Section 379 of the Indian Penal Code.

3. The FIR of the occurrence of theft is against unknown.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that the allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR.



He further submits that initially the petitioner was not named in the FIR, the name of the petitioner has been transpired during investigation on the basis of the suspicion, thereafter the police has conducted raid at the house of the petitioner and 200 cartoons of dettol soap was recovered from the house of the petitioner. He further submits that till date no TIP has been conducted by the prosecution of the seized article. He further submits that similarly situated other co-accused persons, namely, (1) Bhushan Singh @ Chandra Bhushan Kumar Singh (2) Manoj Kumar Sah @ Manoj Kumar (3) Jinar Paswan @Rajendra Paswan (4) Dhunna Sahni @ Dhusa Sahni (5) Rameshwar Paswan (6) Mithlesh Sahni (7) Suniul Paswan (8) Pintu Paswan (9) Rajeen Paswan (10) Pramod Paswan (11) Amod Paswan and (12) Bhusanj Paswan have been granted the privilege of anticipatory bail by this Court vide order dt. 10.07.2024 passed in Cr. Misc. No. 42271 of 2024 and Cr. Misc. No. 39082 of 2024 and the case of the petitioner is on similar footing.

5. Learned Additional Public Prosecutor for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances,



let the petitioner, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-I, Vaishali at Hajipur in connection with Bhagwanpur P.S. Case No. 56 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/ Section 482(2) of the BNSS, 2023 and with other following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for



cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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