

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10086 of 2025

Arising Out of PS. Case No.-257 Year-2023 Thana- RAGHOPUR District- Vaishali

1. Anil Sahani @ Anil Kumar @ Anali Kumar S/o Ramdhani Sahani
2. Vishal Kumar @ Vishal Sahani S/o Sitaram Sahani
3. Vikash Kumar @ Vikash Sahani S/o Jamun Sahni.
All Resident of Village- Sabalpur Basghat, Police Station- Nadi, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sweety Sinha, Advocate

For the Opposite Party/s : Mr.Arbind Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 14-02-2025 Heard Mr.Sweety Sinha, learned counsel for the petitioners and Mr.Arbind Kumar Pandey, learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Raghopur (Rustampur O.P) P.S.Case No.257 of 2023, FIR dated 26.10.2023 registered for the offences punishable under Section 379 of IPC.

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

4. Learned counsel for the petitioners submits that the petitioners have clean antecedent. They have falsely been implicated in the present case. Petitioners are not named in the



FIR. The name of the petitioners has been transpired during investigation on the basis of the disclosure made by apprehended co-accused persons, namely, Bhola Kumar and Biku Kumar and except the aforesaid, no other material has come during investigation against the petitioners to suggest the involvement of the petitioners in the present occurrence and co-accused persons, namely, Lallu Mahto and others have been granted privilege of anticipatory bail by this Court vide order dated 26.06.2024 passed in Cr. Misc. No.38336 of 2024.

5. Learned A.P.P. for the State has vehemently opposed the prayer for bail of the petitioners.

6. Considering the aforesaid facts, petitioners have clean antecedent, petitioners are not named in the FIR and similarly situated co-accused persons, namely, Lallu Mahto and others have been granted privilege of anticipatory bail by this Court, let the petitioner, above named, in the event of his 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) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Vaishali at Hajipur in connection with Raghapur (Rustampur O.P) P.S.Case No.257 of 2023, subject to the



conditions as laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of BNSS, 2023 and with other following conditions:-

(I) Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

(II) If the petitioners tamper 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 petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. 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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