

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10610 of 2025

Arising Out of PS. Case No.-309 Year-2024 Thana- BAHERA District- Darbhanga

1. Ravi Kumar Sahni @ Ravi Kumar Sahani Son of Ashok Sahni @ Ashok Sahani Resident of Village- Ajamnagar, P. S.- L. N. M. U,- Dist- Darbhanga
2. Rohit Sahani Son of Pitambar Sahni Resident of Village- Balughat, P. S.- L. N. M. U,- Dist- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr .Saurav Anand, Advocate

For the Opposite Party/s : Mr. Md. Matloob Rab, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

3 12-05-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. Petitioners are in custody in a case registered for an offence punishable under Sections 331(4) and 305(a) of the BNS.

3. As per the prosecution story, on 03.08.2024 at about 7:00 A.M. some unknown persons have committed theft in the house of the cousin of the informant, namely, Laxmi Kant Chaudhary. When informant along with his villagers went to the house of his cousin brother, he found that lock of the house was broken and the house stuff was scattered around. Informant was informed by his cousin brother that he had kept ornaments



worth Rs. 5Lacs, 2.5 Lacs Rs. Cash and brass utensils in the house.

4. Learned counsel for the petitioners submits that petitioners are innocent and they have falsely been implicated in this case. He next submits that petitioners are not named in the FIR. He further submits that during investigation of Bahera P.S. Case No.256 of 2024, police arrested two persons, namely, Ajay Sahni and Sanjay Sahni and they disclosed the name of the petitioners to be involved in that case after which the police arrested the petitioners in Bahera P.S No.256 of 2024 thereafter, these petitioners self-confessed before the police that they are involved in this case. He next submits that no article of theft has been recovered either from the possession or from the houses of the petitioners. He further submits that investigation has already been concluded and chargesheet has been submitted but during investigation no TIP has been found. He further submits that petitioners have got only five criminal antecedent as stated in para-3 of the bail petition and they are in custody since 11.09.2024.

5. Learned APP for the State opposes the prayer for bail of the petitioners.

6. On perusal of the First Information Report, case



diary and impugned order dated 08.01.2024, it appears that petitioners are not named in the FIR and name of the petitioners have been surfaced on the basis of confessional statement of two persons namely, Ajay Sahni and Sanjay Sahni in another case and in that case petitioners were arrested and confessed before the police about their involvement in the present case as well as the fact that no article relating to theft has been recovered either from the possession of the petitioners or from the house of the petitioners. So, considering the aforesaid facts and circumstances of the case, submission of the learned counsel for the petitioners, let the above named petitioners be released on bail, on their furnishing bail bonds of Rs.10,000/-(Ten thousand) each with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate, Benipur at Darbhanga in connection with Bahera P.S. Case No.309 of 2024 with a condition that petitioners shall remain physically present before the Trial Court till conclusion of the trial.

(Ramesh Chand Malviya, J)

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