

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20984 of 2025

Arising Out of PS. Case No.-55 Year-2024 Thana- SAHIYARA District- Sitamarhi

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Anish Sah @ Anis Sah Son of Gonaur Sah @ Ganaur Sah Resident of
Village- Murhadih, P.S.- Kanhauli, District- Sitamarhi Petitioner/s
Versus

The State of Bihar Opposite Party/s
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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha, Advocate
For the Opposite Party/s : Mr. Ram Bilash Roy Raman, APP
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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 27-06-2025 Heard Mr. Ashok Kumar Jha, learned counsel for

the petitioner and Mr. Ram Bilash Roy Raman, learned

Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
12.07.2024 in connection with Sahiyara P.S. Case No. 55 of
2024, F.I.R. dated 02.05.2024 for the offences punishable under
Sections 395 and 397 of the Indian Penal Code and Section 27
of the Arms Act.

3. According to prosecution case, some unknown
miscreants have stopped the bus and on the point of pistol they
brought the informant in a bamboo clump and looted his bag
carrying Rs. 12 lakhs and also shot him in his abdomen and fled
away.

4. Learned counsel for the petitioner submits that
petitioner is innocent and he has falsely been implicated in the
present case. He further submits that the petitioner is not named
in the F.I.R. and the name of the petitioner has been transpired



during investigation on the basis of the disclosure made by the apprehended co-accused, namely, Arvind Kumar and spy. He further submits that although the petitioner is in custody but till date no T.I.P. has been conducted by the prosecution and nothing has been recovered from the possession of the petitioner rather the recovery has been made from the possession of co-accused persons, namely, Manoj and Rais Sah. He further submits that the police after investigation submitted the charge sheet against the petitioner. He further submits that similarly situated, co-accused, namely, Rais Sah @ Rahees Sah has been granted bail by this Court vide order dated 05.03.2025 passed in Cr. Misc. No. 85812 of 2024. The petitioner is in custody since 12.07.2024.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries six criminal antecedents other than the present one but fairly submits on the basis of paragraph 3 of the bail petition that the petitioner is on bail in all the six cases.

6. Considering the aforesaid facts and circumstances that the co-accused person has been granted bail by this Court and the petitioner is not named in the FIR, let the petitioner, above named, 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 Judicial Magistrate 1st Class, Sitamarhi in connection with Sahiyara P.S. Case No. 55 of 2024, subject to the 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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