

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53447 of 2025

Arising Out of PS. Case No.-56 Year-2025 Thana- BHAGALPUR GRP CASE District-
Bhagalpur

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Shiv Kumar Sahani Son of Kamli Sahani R/O Village- Sonbarsha Ghat, P.S.-
Choutham, District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms.Deepika Sharma, Advocate
Mr. Rajat Kumar Tiwary, Advocate
For the Opposite Party/s : Ms.Anita Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

2 11-08-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks bail in connection with
Bhagalpur G.R.P.S. Case No.56 of 2025 dated 21.03.2025
registered for the offence punishable under Sections 303(2),
317(5), 304(2) of BNS.

3. The prosecution case in short is that, the informant
Vikram Singh filed a typed report dated 21.03.2025 stating that
at about 10:56 AM he was standing near the western footbridge
on Bhagalpur Station Platform No.4 to board along with his



aunt/Bhabhi Anita Singh. While boarding the said train an unknown person suddenly snatch the gold chain of 10.5 gram from his Bhabhi's neck worth about Rs.1,30,000/- and started running away. When the said person was being chased that person gave the gold chain to his partner and ran away with his partner. Meanwhile, the RPF and GRP constable who were patrolling there ran and caught the person running away with the gold chain. On interrogation in front of RPF and GRP the person caught disclosed his name as Shiv Kumar Sahani (petitioner). On further asking about the name and address of the partner who ran away, the petitioner is said to have told that the name of his partner is Dharmendra Tanti. RPF and GRP searched for the person who ran away, but could not find him. The person caught along with the mobile, handed over to GRP police Bhagalpur for legal action, then when the arrested person was searched i.e. the petitioner, a blue/black colour mobile of realme company was found, about which he is said to have confessed that this is a stolen mobile and he was trying to use it.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the present case. He further submits that the petitioner has no criminal antecedent and that the entire story is false for the



reason that no stolen material has been recovered from the possession of the petitioner. He further submits that he is ready to abide by the terms and conditions for grant of bail. He also submits that the petitioner has clean antecedent.

5. On the other hand, learned APP appearing for the State opposes the prayer for regular bail of the petitioner.

6. Considering the fact that no stolen material has been recovered from the petitioner and also the fact that charge sheet in this case has been filed thereby completing the investigation and also the fact that the petitioner has no criminal antecedent, this Court is of the view that no fruitful purpose would be served in keeping the petitioner in custody and hence the Court is inclined to grant bail to the petitioner.

7. Let the petitioner above named, is directed to be released on bail on furnishing bail-bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Bhagalpur G.R.P.S. Case No.56 of 2025, subject to the following conditions:-

(i) One of the bailors of the petitioner shall be his close relative.

(ii) The petitioner shall remain physically present in



Court on each date of the trial.

(iii) In case of absence on two consecutive dates without substantial reason or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the Court concerned.

(iv) If the petitioner is found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.

(v) The learned 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 bond in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

8. Accordingly, the prayer for bail is allowed.

(Alok Kumar Sinha, J)

Prakash Narayan

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