

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69270 of 2025

Arising Out of PS. Case No.-590 Year-2019 Thana- SARAIYA District- Muzaffarpur

Promod Sahani @ Pramod Sahani Son of Sri Jyoti Sahani @ Jyotik Sahani
R/o Village - Shekh Dhanwat, P.S. - Jaitpur, District -Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 26-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in anticipation of his arrest in connection with Saraiya (Jaitpur O.P.) P.S. Case No. 590 of 2019 dated 05.09.2019 instituted for the offences punishable under Sections 379 of the Indian Penal Code.

3. As per the prosecution case, the informant has alleged that he had parked his vehicle and had gone to sleep and later he found that the same was missing.

4. Learned counsel for the petitioner has submitted that the petitioner is not named in the FIR and during the course of investigation his name has surfaced in the confessional statement of co-accused namely Md. Mazhar. It has been pointed out that the said Md. Mazhar was arrested in another



case and on the threat and coercion the confession had been procured by the police. It has further been submitted that nothing has been recovered from the house of the petitioner in order to show his complicity in the crime. It has lastly been submitted that the petitioner has been named in this case only because he carries a long list of antecedents having seven criminal cases against his name.

5. Learned APP has vehemently opposed the prayer for anticipatory bail of the petitioner and has submitted that the petitioner is involved in similar nature of offences and he does not deserve anticipatory bail.

6. Considering the facts aforesaid, the petitioner is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-IV, West Muzaffarpur in connection with Saraiya (Jaitpur O.P.) P.S. Case No. 590 of 2019, subject to the conditions as laid down under Section 482 of the BNSS and subject to the following conditions:-



(i) One of the bailors will be a close relative of the petitioner;

(ii) the petitioner will remain present on each and every date fixed by the Court below, if so required by the learned Trial Court;

(iii) in case of absence on two consecutive dates or in violation of the terms of the bail, the bail bonds of the petitioner will liable to be cancelled by the Court concerned;

(iv) 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 bonds of the petitioner. However, the acceptance of bail bonds in terms of the above mentioned order shall not be delayed for purpose of the same on in the name of verification.

(v) the petitioner is directed to appear before the SSP, West Muzaffarpur fortnightly to mark his attendance.

It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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