

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77974 of 2024

Arising Out of PS. Case No.-207 Year-2019 Thana- MAHUA District- Vaishali

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Bhim Sahni @ Thikedar Son of Late Ram Janam Sahni Resident of Village-
Jahanabad, Police Station - Lalganj, District - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Prasad Singh, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 10-01-2025 Heard Mr. Sunil Prasad Singh, learned counsel for

the petitioner and Mr. Narendra Kumar Singh, learned APP for

the State.

2. Petitioner seeks bail, who is in custody since
27.04.2023, in connection with Mahua P.S. Case No. 207 of
2019, F.I.R. dated 06.04.2019 registered for the offences
punishable under Sections 395, 397, 412 of the Indian Penal
Code.

3. The F.I.R. of the occurrence of loot is against
unknown.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely 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 confessional statement of co-accused persons namely Md. Zafar Quraishi and Arvind Sahni and except the aforesaid, no other cogent material has come during investigation to suggest the involvement of the petitioner in the present occurrence. He further submits that co-accused person namely Mukesh Kumar @ Mukesh Chaurasiya has been granted bail by this Court vide order dated 28.08.2024 passed in Cr. Misc. No. 49324 of 2024, another co-accused person namely Jahindra Sahni has been granted the privilege of anticipatory bail by this Court vide order dated 07.06.2022 passed in Cr. Misc. No. 31032 of 2024, another co-accused person namely Munna Baitha has been granted bail by a Coordinate Bench of this Court vide order dated 31.08.2021 passed in Cr. Misc. No. 19937 of 2021, and a number of other co-accused persons have been granted regular bail by a Coordinate Bench of this Court. He further submits that the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 27.04.2023.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner and submits that the name of the petitioner has been transpired on the basis of disclosure made by the aforesaid co-



accused persons and apart from that the petitioner carries ten more cases other than the present one but fairly submits that out of ten cases, petitioner has been granted bail in seven cases and rest three cases, the petitioner has been acquitted by the learned trial court itself.

6. Considering the facts and circumstances of the case, let the petitioner, above named, 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 learned A.C.J.M. 15, Vaishali at Hajipur in connection with Mahua P.S. Case No. 207 of 2019, subject to the following conditions :-

(1) 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.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) 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 antecedents, 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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