

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71244 of 2025

Arising Out of PS. Case No.-483 Year-2022 Thana- MOTIHARI MUFASIL District- East
Champanan

=====

Uday Sahani @ Uday Kumar S/o Late Sanchit Sahani R/o Vill- Nandpur, PS-
Muffassil, District- East Champanan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Kundan Rathore @ Kundan Kumar, Adv.
For the Opposite Party/s : Mr.Lalan Kumar, APP

=====

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA
ORAL ORDER

2 13-10-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Muffasil P.S. Case No. 483 of 2022 instituted for the offences
under Sections 401, 380, 457, 411, 34 of the Indian Penal Code

3. As per prosecution case, the police, on receipt of
information regarding theft, arrived at the place of occurrence
and chased the Safari vehicle bearing Regd. No. BR05P-6220
which was caught near Vaidyanath Singh's petrol pump
whereafter the people riding in it started running away. One
person was arrested who disclosed his name as Santosh Sahni.
On search of the vehicle, the police recovered Crompton motor,
Lal Kala Kisan company Kerosene generator, hand pump set,
Indian company's gas cylinder, small gas cylinder etc. When
asked, he disclosed that Uday Sahni (petitioner), Sachin Kumar,



Nitesh Kumar, Brajesh Kumar had come with him to commit theft and they regularly commit theft with us.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case only on the basis of his criminal antecedents. The petitioner was not apprehended on the spot rather his name has surfaced in this case on the basis of the confessional statement of the apprehended co-accused Santosh Sahani recorded before the police which has got no evidentiary value in the eye of law. He further submits that nothing incriminating/theft article has been recovered from the conscious possession of the petitioner. The petitioner has no concern with the alleged occurrence. There is a non-compliance of Section 103 of the B.N.S.S. which creates a serious doubt in the prosecution case. The petitioner has nine criminal antecedents and is languishing in judicial custody since 28.11.2023 without any rhymes or reason. Learned counsel for the petitioner further submits that the cognizance of the case has been taken on 10.05.2024, the charge has been framed on 19.06.2024 and the non-bailable warrant has also been issued on 02.11.2024.

5. On the other hand, learned A.P.P. for the State has



vehemently opposed the prayer for grant of bail to the petitioner, stating that the petitioner bears nine criminal antecedents.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Muffasil P.S. Case No. 483 of 2022, subject to the following conditions;

(i) One of the bailor(s) shall be the own/close family members of the petitioner.

(ii) The petitioner shall cooperate 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 in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(Rudra Prakash Mishra, J)

rishi/-

U		T	
---	--	---	--

