

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89098 of 2024

Arising Out of PS. Case No.-342 Year-2024 Thana- CHAINPUR District- Kaimur (Bhabua)

Sanjay Sahani, aged about 24 years, Male, Son of Bharatlal Bind @ Bharatlal,
Resident of Village- Nirala Nagar, Lane No. 6, Varansi, P.S.- Sigara, Distt-
Varansi (U.P.)

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Tribhuvan Narayan, Advocate
For the Opposite Party : Mr. Sanjay Kumar Singh, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 20-02-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with
Chainpur P.S. Case No. 342 of 2024 dated 25.09.2024 registered
for the offences punishable under Sections 127(1), 140(3),
308(3), 319(2), 318(4), 111 and 3(5) of BNS.

3. As per the prosecution case, the petitioner alongwith
other co-accused persons kidnapped the informant near Tara
Chandi Gate at Hata Avkhara Road and forcibly sat him in a
four wheeler bearing Registration No. UP65HT5061 and hand-
cuffed the victim and thereafter, the accused persons including
the petitioner presented themselves as Excise Officials of U.P.
police and forcibly took Rs. 20,000/- in cash from the informant



and further asked the informant to bring another Rs. 50,000/- to get himself freed, thereafter, they have also transferred Rs. 22,000/- from his Phone Pay Account and then dumped him at G.T. Road. It is further alleged that the informant asked to stop the police vehicle crossing him and told the police about the incident, thereafter, the police team searched the tower location of the mobile number disclosed by the informant and it was found to be near Mundeshwari Temple. When the police team alongwith the informant reached the spot one person was apprehended who was identified by the informant as co-accused Sandeep Kumar Nishad and he disclosed the names of other accused persons including the petitioner and on search of their residence one red colour police belt with I.D. Ribbon, police uniform and on search of said vehicle bearing Registration No. UP65HT5061, one hand-cuff with rope police uniform, one T-Shirt of Bihar Police, one holder carrying pistol etc., were recovered.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in the present case. It is further submitted that although the petitioner is named in the F.I.R. but he was not named by the victim. No incriminating article has been recovered either from his



possession or from his house. The allegation is that three persons riding on a car kidnapped the victim Prakash Kumar and took him toward Karamnasa and extorted Rs. 42,000/- and on the basis of mobile location the co-accused Sandeep Kumar Nishad was arrested by the police from Mundeshwari Temple in Kaimur at Bhabhua. It is further submitted that on the basis of the confessional statement of the co-accused Sandeep Kumar Nishad, police went to Ramnagar and raided the house of the co-accused Triloki Chauhan and arrested him and the petitioner. There is no specific allegation against the petitioner. The petitioner is neither the owner of the seized vehicle nor he has any concern with the seized article. The petitioner has two criminal antecedents in which he is on bail as stated in paragraph no. 3 of the bail application. The petitioner is in custody in this case since 26.09.2024.

5. Learned A.P.P. for the State has opposed the prayer for bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-II, Kaimur at Bhabhua in connection with



Chainpur P.S. Case No. 342 of 2024 with further condition:-

I. The petitioner is directed to remain physically present before the learned court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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