

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2455 of 2026

Arising Out of PS. Case No.-77 Year-2024 Thana- ALINAGAR District- Darbhanga

1. Ajay Sahni @ Bhola Sahni Son of Rajendra Sahni @ Bhola Sahni Resident of village - Ajam Nagar, P.S.- University, District - Darbhanga.
2. Sanjay Sahni Son of Rajendra Sahni @ Bhola Sahni Resident of village - Ajam Nagar, P.S.- University, District - Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mirtyunjay Kumar Mishra, Adv.

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

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 21-01-2026 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seeks bail in connection with Ali Nagar P.S. Case No. 77 of 2024 instituted for the offences under Sections 457, 380 of the Indian Penal Code.

3. Prosecution case, in short, is that owner of the house has requested the informant to inform the police about the theft in his house who is residing outside in connection with his livelihood that the thieves have broken lock of his house and Almira and took away the gold ornaments.

4. Learned counsel for the petitioners submitted that the petitioners have falsely been implicated in the present case.



Petitioners are not named in the F.I.R. The name of the petitioners transpired in this case on the basis of confessional statement of the co-accused person Mukesh Sah which has no evidentiary value in the eye of law. No incriminating/looted article has been recovered from the conscious possession of the petitioners. Learned counsel further submitted that petitioners have no concern with the stolen articles. It has been submitted on behalf of the petitioners that the petitioners are in custody since 30.08.2024 and have five criminal antecedents. There is no compliance of Section 103 of the BNSS.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioners, this Court is inclined to grant bail to the petitioners.

7. Let the petitioners be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Ali Nagar P.S. Case No. 77 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioners.



(II) The petitioners shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioners.

(III) If the petitioners are found involved in similar nature of offence in future, the Trial Court will have the liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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