

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36323 of 2026

Arising Out of PS. Case No.-257 Year-2023 Thana- RAGHOPUR District- Vaishali

Bablu kumar @ Bablu Sahani S/o Ramashish Sahni Resident of Village -
Banstal, P.O. - Kachchi Dargah, P.S. - Didarganj Jethuli, Dist. - Patna, State -
Bihar. Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hemant Ray, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 02-07-2026 Heard Mr. Hemant Ray, learned counsel for the

petitioner and Mr. Sanjay Kumar Pandey, learned APP for the

State.

2. The petitioner is apprehending his arrest in
connection with Raghopur (Rustampur O.P.) P.S. Case No. 257
of 2023, F.I.R. dated 26.10.2023 for the offences punishable
under Section 379 of the Indian Penal Code.

3. According to prosecution case, some unknown
miscreants have stolen the 70 meter Dericopper Cable.

4. Learned counsel for the petitioner submits that
petitioner is innocent and he has falsely been implicated in the
present case on the basis of confessional statement, namely,
Vikku Sahani and Bhola Kumar. Initially the petitioner was not
named in the FIR and nothing has recovered from the conscious
possession of the petitioner and in fact, no TIP has been



conducted by the prosecution as yet. He further submits that the similarly situated co-accused, namely, Dilip Sahni @ Dilip Kumar and another have been granted anticipatory bail by this Court vide order dated 06.09.2024 passed in Cr. Misc. No. 57622 of 2024.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner on the ground that the petitioner carries one criminal antecedent other than the present one but fairly submits that he is on bail in the pending matter.

6. Considering the aforesaid facts and circumstances that the name of the petitioner has been transpired on the disclosure made by the apprehended co-accused person, nothing has been recovered from the possession of the petitioner and similarly situated co-accused has been granted anticipatory bail, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Vaishali at Hajipur in connection with Raghopur (Rustampur O.P.) P.S. Case No. 257 of 2023,



subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

i. 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.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. 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 antecedent, 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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