

IN THE COURT OF ADDITIONAL SESSIONS JUDGE III,
DISTRICT:-GOPALGANJ (BIHAR)
Anticipatory Bail Petition No. 514 of 2026
(Arising out of Hathua P.S. Case No 76 of 2024)

In the matter of:-

Santosh Sahani, S/o- Jaleshwar Sahani,

.....Petitioner

Versus

State of Bihar

.....Opposite Party

Ld. Counsel for the petitioner :-Shri Nikhil Kumar Singh, Adv.

Ld. Counsel for the State :- Shri Anand Shankar Sharma, S.D.P.O.

Order with signature of the Court

02-07-2026

1. The present anticipatory bail petition is preferred by above named petitioner, who is apprehending his arrest in connection with Hathua P.S. Case No 76 of 2024, for the offences punishable under Sections- 420, 467, 468, 471/34 of I.P.C. is put up for hearing.
2. Heard the learned counsel appearing on behalf of petitioner as well as the learned P.P. for the State.
3. As per FIR, prosecution case in brief is that on 05.04.2024 at around 4:30 pm the police team led by the informant ASI Vijendra Kumar Singh of Hathua P.S. were doing vehicle checking near Koirauli Bahurwa Shiv Mandir on the main road of Hathua Barka Gaon. In that course of vehicle checking white colour car, Hyundai Grand i-10 Reg. No. AS-01-DJ-3221 was signaled to be stopped and one person in the car managed to flee away and three persons were caught by the police. All apprehended accused persons were interrogated and told their name as accused Deepak Kumar, Rakesh Kumar and Sunil Sahni and they were searched upon and the car was also searched. Nothing was allegedly recovered from the car but from possession of accused Deepak Kumar and Rakesh Kumar 88 different bank

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Continued
02-07-2026

ATM Cards were recovered and also told during investigation that their associate Santosh Sahni who managed to flee, used to withdraw money in Delhi and accused Sunil Sahni drives the car and let them roam in different districts for committing ATM frauds. They also disclosed that they all equally distribute the crime proceeds after withdrawal of money by stolen ATMs. They also, as per the FIR, could not furnish any valid document regarding possession of car which was also recovered from their joint possession. Alongwith ATM Cards and Car two smart mobile phones being of Samsung and Oppo company have also recovered. Subsequently, F.I.R. has been instituted.

4. It is *inter alia* submitted on behalf of petitioner that petitioner is quite innocent and has committed no offence, this is the first bail application filed on behalf of the petitioner, previously no any other bail petition either anticipatory or regular application has been filed either before the Hon'ble High Court of Judicature at Patna or before this court prior to present one. In para no. 03 of the anticipatory bail petition, it has been submitted that the petitioner has got no criminal antecedents. Petitioner has falsely been implicated in this case. Further, it is submitted that no evidence that any person or any ATM Card Holder has raised complaints that their money has been withdrawn by any person. It is also desired to take into judicial notice that in case of misplacement/theft etc. Further, it is submitted that petitioner's co-villager Rakesh Kumar trapped the name of petitioner by giving a false statement and other co-accused

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Continued
02-07-2026

bailed out vide Cri. Misc. No. 52605/24 by Hon'ble High Court, Patna. On such strength, prayer for anticipatory bail has been made.

5. *Per contra*, ld. P.P. for the State has vehemently opposed the prayer of anticipatory bail of the petitioner.
6. Having heard both the parties, I have gone through the case record along with case diary. From perusal of case record, it appears that Hathua P.S. Case No 76 of 2024 for the offences u/s- 420, 467, 468, 471/34 of I.P.C. had been lodged against accused persons. The petitioner is named in the F.I.R. There is specific allegation against the petitioner that he managed to flee his associate, used to withdraw money in Delhi and let them roam in different districts for committing ATM frauds. From perusal of case diary, it reveals para no. 15 (Confessional statement of accused Rakesh Kumar), para no. 16 (Confessional statement of accused Sunil Sahani), and para no. 17 (Confessional statement of accused Deepak Sahani) that co-accused were accepted the active involvement of accused petitioner in commission of said crime. Witnesses have supported the case of prosecution and para no. 99 of the case diary shows that investigation of this case is still going on against the petitioner.
7. Considering the above facts and circumstances of the case and specially nature of allegation as well as material available on record, in my considered view, it is not a fit case for grant of anticipatory

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Continued
02-07-2026

bail. Accordingly, anticipatory bail prayer of the petitioner is hereby
rejected.

**Let a copy of this order be transmitted to concerned Court
forthwith and the order be uploaded on C.I.S. immediately.**

This order is dictated and corrected by me.

(Dictated)

(Rajendra Kumar Pandey)
District & Addl. Sessions Judge III,
Gopalganj.

Date of order	02-07-2026
Date of reserving order	02-07-2026
Uploading date	02-07-2026
Uploaded by	Shobhit Kumar