

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22354 of 2019

Arising Out of PS. Case No.-259 Year-2014 Thana- KADAMKUAN District- Patna

SHARWAN KAHAR @ BANTI @ KHALIPHA @ SHRAWAN KAHAR @
KALIPHA Son of Sagar Ram, Resident of Village-Shamashipur, P.S.-
Pandarak, District-Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashi Bhushan Pandey
For the Opposite Party/s : Mr. Ram Sevak Choudhary

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 30-05-2019 Heard learned counsel for the petitioner and the State.

The petitioner seeks bail **in connection with Sessions Trial No. 29 of 2019 arising out of Kadamkuan P.S. Case No. 259 of 2014**, instituted for the offence under Section(s) 395, 397 of the Indian Penal Code, Sections 25(1-b)(a), 26, 35 of Arms Act and Section 3/4 of Explosive Substance Act.

Counsel for the petitioner submits that petitioner has not been arrested on the spot. There is no recovery of any incriminating article from his possession. The name of petitioner has been disclosed by the persons who have been apprehended on the spot.

It is alleged in the written report that when the informant along with Bihari Paswan was going to deposit money amounting to Rs.26,12,000/- in the State Bank of India, Main Branch, Gandhi Maidan, four miscreants armed with country made pistol and Bomb



surrounded the Maruti van. It is further alleged that when driver tried to proceed ahead, all the miscreants fired with country made pistol on the hand of driver, on account of which, he became injured. Thereafter, the miscreants took away the bag containing money from the van and fled away throwing bomb and opening fire.

Counsel for the petitioner submits that name of petitioner has come on the basis of confessional statement of co-accused who have been apprehended by the Police on the spot.

Petitioner is in custody since 9.4.2014.

Considering the aforesaid facts and circumstances of the case, prayer of the petitioner for grant of bail is allowed. Let the petitioner above named, 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 **learned Additional District & Sessions Judge-XXII, Patna**, in connection with **in connection with Sessions Trial No. 29 of 2019 arising out of Kadamkuan P.S. Case No. 259 of 2014**, subject to the condition that both the bailors will be the close relatives of the petitioner.

(Sanjay Priya, J)

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