

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20472 of 2019

Arising Out of PS. Case No.-82 Year-2018 Thana- SAHJAHANPUR District- Patna

Sanni Kumar, Son of Mukesh Paswan, Resident of Village - Kasimpur
Pachrukhiya, P.S.- Khushrupur, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar

For the Opposite Party/s : Mr. Shantanu Kumar

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 03-04-2019 Heard learned counsels for the parties.

The petitioner is languishing in custody since 28.10.2018 in a case registered for the offences punishable under Sections 397 and 412 of the I.P.C. and Sections 25(1-B)a, 26 and 35 of the Arms Act.

The prosecution case as per the fardbeyan of Bambam Shankar recorded by Satish Kumar S.I.-cum-SHO, Sahjahanpur Police Station is to the effect that when the informant was returning by his motorcycle from Rajgir, on the way, at about 10.15 P.M., six persons came on two motorcycles and robbed the informant's motorcycle, two mobile phones and cash amount of Rs.6,000/-, leading to the registration of FIR against



six unknown persons. It is further alleged that the name of the petitioner sprang up during investigation, on the confessional statement of co-accused, Vivek Jumar @Kamru Paswan and when the petitioner was apprehended, from his possession, one country made pistol and two live cartridges were recovered.

It is submitted by learned counsel for the petitioner that robbed articles were not recovered from the conscious physical possession of the petitioner and investigation has already been concluded. It is further submitted that petitioner has not been put on T.I. Parade till date. A statement has been made in paragraph no.3 of the petition that the petitioner is involved in one other case.

Learned APP submits that the name of the petitioner sprang up on the confessional statement of apprehended co-accused Vivek Kumar @Kamru Paswan and recovery of arms has been made from his possession.

Considering the fact that prosecution case does not suggest recovery of the robbed articles from the conscious physical possession of the petitioner, the petitioner has not been put on T.I. Parade till date and investigation already being concluded, 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 the learned **ACJM-II, Patna City, Patna** in connection with **Sahjahanpur P.S. Case No.82 of 2018.**

(Dinesh Kumar Singh, J)

Deepak/Rahul/-

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