

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.9400 of 2020

Arising Out of PS. Case No.-926 Year-2019 Thana- SAHARSA District- Saharsa

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BHAVESH KUMAR @ BHAVESH SUTIHAR @ BHAVESH KUMAR
SUTIHAR, aged about 26 years, Male, son of Parmeshwari Mistry, Resident
of Village - Patuaha, P.S.- and Distt.- Saharsa ... Petitioner

Versus

THE STATE OF BIHAR ... Opposite Party

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Appearance :

For the Petitioner : Mr. Amarnath Jha, Adv.

For the Opposite Party : Mr. Md. Mushtaque Alam, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 18-02-2020 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the state.

The petitioner seeks bail in connection with Saharsa
Sadar P.S. Case No. 926 of 2019, registered under Section 395
of the Indian Penal Code.

The accusation is that at about 01.30 p.m. on
16.10.2019, 7 to 8 miscreants, having fire arm, entered in the
shop of the informant, Binod Kumar, and started to make firing,
due to that reason the staff of the shop started to flee away hither
and thither. One miscreant pointed the pistol at the temple of
Sumit Kumar, cousin brother of the informant, and took the cash
Rs.3,00,000/- from cash box. At that time, Md. Imam Ali,
customer of the shop, and his driver, Md. Abul, were also
present. In firing Md. Abul sustained slight injury at his thigh.
The miscreants also snatched cash of Rs.15,000/- and
Rs.10,000/- from Md. Imam Ali and Md. Abul. On raising
alarm the neighbour rushed and all were chased, two were
apprehended, who disclosed their names as Ranjan Yadav and



Vijay Thakur and both disclosed the name of the petitioner and two others as their associates.

Submission is that the name of the petitioner has surfaced in the confessional statement of the co-accused, who were said to be apprehended on the spot. Further, submission is that while the petitioner is accused in three cases, as detailed in paragraph 3 of the petition, but, in that cases he is on bail. The petitioner is in custody in present case since 03.11.2019.

Having regard to the facts and circumstances of the case, let the petitioner, above named be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with Saharsa Sadar P.S. Case No. 926 of 2019 to the satisfaction of the Chief Judicial Magistrate, Saharsa, subject to the condition that out of two bailors, one must either be parent or close relative of the petitioner.

(Rajendra Kumar Mishra, J)

Shamshad/-

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