

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13071 of 2020

Arising Out of PS. Case No.-116 Year-2011 Thana- AMAS District- Gaya

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DHARMENDRA SAO, S/o Late Saryu Sao @ Late Saryu Prasad @ Late Surya Sao, R/o village- Karmaun, P.S.- Dumaria, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vinod Kumar, Adv.

For the Opposite Party/s : Mr.Braj Kishore Pd.(APP)

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 03-07-2020 Heard learned counsel for the petitioner and learned APP
for the State through virtual court proceeding.

The petitioner seeks bail in a case registered for the offence punishable under Sections 395/397 of the Indian Penal Code and 27 of the Arms Act.

The prosecution case in brief is that one Sant Kumar Yadav Ravi Shankar gave his statement on 08.08.2011 in injured condition in the clinic of Dr. Rajendra Singh at Chandisthan before the SHO, Amas P.S. alleging therein that the informant is the master-cum-driver of ten wheeler truck bearing Registration No. HR46B 8041. He was after loading apples on the truck started from Delhi with Udiswith his maternal brother Anil Singh and Khalasi Suresh Yadav, it is stated that on today the informant with vehicle reached ahead about 10 km from toll



plaza the tire of the truck got puncture and the informant was replacing the tire in the truck in the meantime 8-10 persons arrived there and they started snatching money, on protest one of the accused shoot on his leg and they looted a sum of Rs. 9,000/- from the possession of the informant and fled away. It is further alleged that they also snatched a sum of Rs.10,000/- from the driver of the truck Registration no. UP78AZ 4926. It is further alleged that they had lathi danda and pistol in their hands. It is further submitted that the did not identify them in the night due to darkness.

Learned counsel the petitioner that the petitioner is innocent, committed no offence and has falsely been implicated in this case due to local politics. Petitioner has not named in the FIR and nothing has been recovered from his possession. The petitioner has been made accused on the basis of confessional statement of co-accused in this case. The petitioner is in custody since 09.12.2019 and has got no criminal antecedent. The similarly situated co-accused have been granted bail by the Co-ordinate Benches of this Court vide order dated 17.04.2012 passed in Cr. Misc No. 8954/2012 and order dated 22.09.2015 passed in Cr. Misc. No.23276/2015.

Learned APP for the State opposes the prayer for bail



petition.

In the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 25,000/- (rupees twenty five thousand) with two sureties of the like amount each in connection with Amas P.S. Case No. 116 of 2011 to the satisfaction of the learned C.J.M., Gaya.

(Anjani Kumar Sharan, J)

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