

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11763 of 2020

Arising Out of PS. Case No.-316 Year-2018 Thana- CHAPRA MUFFASIL District- Saran

SANDIP KUMAR OJHA @ SANDEEP OJHA, Male, aged about 22 years,
S/o Anil Ojha @ Bhola Ojha, Resident of Village-Parsa Mathure, P.S.-Parsa,
District-Saran at Chapra.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Mazharul Hassan, Advocate.

For the Opposite Party : Mr.Vinod Shanker Modi,A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 28-02-2020 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in a case for the offence
registered under Sections 395, 397 of the IPC and 27 of the
Arms Act.

The prosecution story, in brief, is that on 05.08.2018
while the informant alongwith his driver was returning after
collecting money, some criminals on the point of pistol, took the
mobile of the informant, broken the glass of his vehicle and
open firearm injury upon his driver and the pellet hit on the back
side of his driver Nagendra Rai who died and took out a bag
containing cash of Rs. 12,000/-.

It has been submitted by learned counsel for the



petitioner that the petitioner is languishing in custody since 01.02.2019. The petitioner has falsely been implicated in the present case. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner is not named in the F.I.R. His name has come in the present case on the basis of confessional statement made before the police. The same is not admissible in the eye of law. There is no recovery of any incriminating article from possession of the petitioner. The petitioner has not put on T.I. Parade.

On behalf of the State, it is submitted that the petitioner is not named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M. Saran at Chapra, in connection with Chapra Mufassil P.S. Case No. 316 of 2018.

(Sudhir Singh, J)

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