

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25744 of 2020

Arising Out of PS. Case No.-573 Year-2019 Thana- MAKHDUMPUR District- Jehanabad

SUNIL SAW @ SUNIL SAO S/o Ramnand Saw @ Ramanand Sao Resident
of Village-Pirganj (Tehta), P.S.-Makhdumpur, District-Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Kumar, Advocate

For the Opposite Party/s : Mr.Raj Kishore Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 12-11-2020 Heard learned counsel for the petitioner and learned
APP for the State through video conferencing.

The petitioner has filed the instant application for grant of regular bail in connection with Makhdumpur P.S. Case no. 573 of 2019 registered under sections 395, 396 and 397 of the Indian Penal Code and section 27 of the Arms Act.

As per allegation in the FIR, five persons entered the house of the informant, shot the husband of the informant and looted various articles while 5 to 6 persons were keeping guard outside.

It is submitted by learned counsel for the petitioner that the FIR was registered against unknown persons. The name of the petitioner transpired in course of investigation in an extra judicial confessional statement of co-accused Ravi Kumar made before the police. It is submitted that even as per the contents of the said statement, the petitioner is not one of the persons who



participated in the dacoity but as per the allegations a sum of Rs.53,000/- in cash was recovered from the house of the petitioner. It is submitted that the petitioner is a businessman who deals in sale of food grains and dry fruits and the source of the said cash has been explained in paragraph no. 13 of the petition. The petitioner has not been put on T.I. parade, has no criminal antecedent and is in custody since 6.1.2020

The application for bail is opposed by learned APP for the State who submits that this is a serious case under section 396 of the Indian Penal Code.

Having heard learned counsel for the parties and taking into consideration the submissions made on behalf of the petitioner together with the petitioner being in custody since 6.1.2020, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Makhdumpur P.S. Case no. 573 of 2019 on furnishing bail bond of Rs. 10,000/ (Rupees Ten Thousand) only with two sureties of the like amount each to the satisfaction of the learned Sub Divisional Judicial Magistrate, Jehanabad.

(Partha Sarthy, J)

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