

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77445 of 2019

Arising Out of PS. Case No.-41 Year-2019 Thana- CHAKIA District- East Champaran

SANTOSH SAHANI Son of Ramakant Sahani Resident of Village - Kothiya
Hareram, P.S.- Mehshi, Distt - East Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dilip Kumar Tondon
For the Opposite Party/s : Mr.Akhileshwar Dayal

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 17-03-2020 Heard both sides.

The petitioner seeks bail in Chakia P.S. Case No.41 of
2019 registered under Section 392 of the Indian Penal Code.

The informant alleged that 3-4 unknown persons
committed robbery in the branch of a finance company and
looted away Rs.1,67,546/- and other articles of the staff of the
company.

The learned counsel for the petitioner submits that
petitioner is not named in the F.I.R. The name of the petitioner
surfaced in the case on the basis of the confessional statement of
co-accused person. Save and except the confessional statement
of co-accused person, there is no other material to show the
involvement of the petitioner. During the course of hearing of
the bail petition, learned Additional Sessions Judge took note of



the fact that call detail report of the mobile of the petitioner was called for but the investigating officer did not produce the same. Even in the call detail report of the mobile of the petitioner, there is no material to show that the petitioner was found in the vicinity of the place of occurrence. Therefore, there is absolutely no material against the petitioner. Similarly situated co-accused namely, Amit Kumar @ Amit Ray and Bhola Sah have been granted bail. The case of the petitioner stands on the same footing. The petitioner is in jail since 03.09.2019 but till date petitioner has not been put on T.I.P.

Taking into consideration the fact that name of the petitioner surfaced in the case in the confessional statement of co-accused and the petitioner is in jail since 03.09.2019 but he has not yet been put on T.I.P., 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 to the satisfaction of the learned A.C.J.M. 13th, Motihari, East Champaran in connection with Chakia P.S. Case No.41 of 2019.

(Prabhat Kumar Jha, J)

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