

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28280 of 2021

Arising Out of PS. Case No.-129 Year-2020 Thana- MOUZAHDIPUR District- Bhagalpur

RAJA SAH Son of Sri Pankaj Kumar Sah @ Pankaj Sah Resident of Village -
Gangti Cheti Teli Gali, Aliganj, P.S.- Mojahidpur, Distt.- Bhagalpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pawan Kumar Singh, Adv

For the Opposite Party/s : Mr.APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

5 15-12-2021 Heard learned counsel appearing on behalf of the
petitioner and learned APP appearing on behalf of the State.

Petitioner who is in custody since 30.09.2020 seeks
regular bail in connection with Mojahidpur (Babarganj) P.S.
Case No. 129 of 2020 dated 22.06.2020 registered for offences
punishable under Sections 392/411 of the Indian Penal Code.

Prosecution story in brief is that when the son of the
informant was on his way to bank to deposit Rs. 1,28,687/-, two
persons intercepted him and snatched the bag of money at gun
point.

Learned counsel appearing on behalf of the petitioner
submits that petitioner has falsely been implicated in the present
case due to dirty village party politics. It is further submitted
that petitioner has clean antecedent and he is not named in the
FIR. He further submits that the other co-accused persons



against whom there is criminal history have already been enlarged on bail and, in this regard, he has brought three bail orders on record. Vide order dated 28.07.2020 passed in Cr. Misc. No. 5590 of 2021 by which co-accused Sunny Kumar has been enlarged on bail, vide order dated 03.09.2021 passed in Cr. Misc. No. 33411 of 2021 by which co-accused Basu Sah has been enlarged on bail and vide order dated 17.11.2021 passed in Cr. Misc. No. 22451 of 2021 by which Pinta Sah has been enlarged on bail. Learned counsel for the petitioner further submits that on the ground of parity the present petitioner be enlarged on bail.

Learned APP appearing on behalf of the State submits that petitioner is the main liner who has given effect to the alleged incidence and he has played behind the back in commission of the offence and in this regard, she has referred to paragraph Nos. 74, 104, 20 and other paragraphs of the case diary which substantiate the complicity of the petitioner in the present case.

Having considered the facts and circumstances of the case, rival submission of the parties and similarly situated co-accused whose name has also surfaced on the basis of confessional statement have already been enlarged on bail, this



Court directs to release the petitioner above named on bail upon furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhagalpur in connection with Mojahidpur (Babarganj) P.S. Case No. 129 of 2020 subject to the following conditions:

(i) The petitioner is directed to give his attendance to the local Police Station on every 15th day of the month. The S.H.O. of the said Police Station is directed to furnish the attendance report of the petitioner every month to the concerned Superintendent of Police.

(ii) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(iii) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(iv) If the petitioner tempers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Purnendu Singh, J)

Niraj/-

U		T	
---	--	---	--

