

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32828 of 2021**

Arising Out of PS. Case No.-360 Year-2020 Thana- MUZAFFARPUR TOWN District-
Muzaffarpur

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ADITYA @ ADITYA KUMAR @ GOLU Son of Shashi Kumar Resident of
Village - Basua, P.S.- Aurai, Dist. - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ratanakar Jha
For the Opposite Party/s : Mr.Md. Matloob Rab

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 29-11-2021 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner seeks bail in connection Town (Sikandarpur
O.P) P.S. Case no. 360 of 2020 registered for the offence
punishable under sections 420, 379, 467, 468, 471/34 of the
Indian Penal Code read with sections 25(1-b)a, 26 and 35 of the
Arms Act.

Learned counsel for the petitioner submits that
petitioner is in custody since 06.10.2020 and charge sheet has
been submitted in this case and from perusal of the allegation as
alleged in the FIR, it would manifest that the informant alleges
that Pankaj Sahni and Pappu Sahni are engaged in fraudulently
withdrawing money from the ATM and have smashed several



properties, further informant along with a team searched the house of Pappu Sahni and search was made in presence of two independent witnesses, namely, Sartaj Ansari and Balindra Singh from where several articles along with cash of Rs 33,46,200/- as well as firearms was recovered. Learned counsel for the petitioner submits that petitioner is not named in the FIR and his name has come during course of investigation based on confessional statement of Pappu Sahni. He next submits that this petitioner has been remanded from Brahampura P.S. case no. 143/2020 in the present case and nothing has been recovered from possession of the petitioner and he has been remanded in this case merely on suspicion. Learned counsel submits that recovery if any, is made from the house of Pappu Sahni.

Learned APP opposes the prayer for bail and submits that petitioner has criminal antecedent on this learned counsel for the petitioner submits that similarly situated co-accused Sunny Kumar @ Rishu has been granted bail by order dated 24.11.2021 in Cr. Misc. no. 24058/2021. He is also like the petitioner as his name also transpired in the confessional statement of Pappu Sahni.

Considering the facts that petitioner is in jail custody and charge sheet has been submitted and co-accused has been



granted bail, the petitioner is directed to be released on bail on furnishing bail bonds of Rs 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Muzaffarpur in Town (Sikandarpur O.P) P.S. Case no. 360 of 2020 with condition that one of the bailers would be his father and till trial does not commence petitioner would mark his attendance on 15th of every month in the concerned police station commencing from December, 2021, in the event, if petitioner flaws condition of bail, the learned court below would be at liberty to cancel his bail bond.

(Satyavrat Verma, J)

s.hassan/-

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