

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33899 of 2021

Arising Out of PS. Case No.-218 Year-2020 Thana- MOTIPUR District- Muzaffarpur

AKHILESH KUMAR SAH Son of Ramji Sah Resident of Village - Dhanaur,
P.S.- Katra, Dist.- Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Bela Singh
For the Opposite Party/s : Mr.APP.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 01-12-2021 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner seeks bail in connection Motipur P.S. Case no.
218 of 2020 registered for the offence punishable under section 395
Indian Penal Code.

Learned counsel for the petitioner submits that petitioner is
in jail custody since 26.11.2020 and charge sheet has been submitted.
Learned counsel for the petitioner submits that from perusal of
the allegation as alleged in the FIR, it would manifest that the
informant alleges that on 7.9.2020 at 2.15 p.m, while informant
was at his motorcycle agency, five motorcycle borne criminals
arrived at the agency on two motorcycles. Thereafter, it is alleged
that they were carrying firearms in their hands and they entered into
the agency and looted cash of Rs 3,40,000/- from the cash counter on



the point of gun. In the meantime, police was informed and police immediately rushed and thereafter there was exchange of firing between police force and miscreants and police apprehended three miscreants at the spot with looted amount but two miscreants managed to escape. Learned counsel submits that for the same occurrence police also instituted Motipur P.S. Case no. 219 of 2020 in which petitioner has been granted bail vide order dated 22.10.2021 in Cr. Misc. no. 34927/2021. Learned counsel for the petitioner submits that petitioner has been falsely implicated by the police rather he was a passer-by and in the firing he got hit and thereafter he came to be implicated in the present case.

Learned APP opposes the prayer for bail and submits that petitioner has criminal antecedent.

Considering the facts that petitioner is in jail custody since 26.11.2020 and charge sheet has been submitted, 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 Addl. Chief Judicial Magistrate II, West, Muzaffarpur in Motipur P.S. Case no. 218 of 2020 with condition that one of the bailers shall be father/ brother of the petitioner and till charges are not framed in this case, petitioner would mark his attendance on 15th of every month in the concerned police station commencing from December, 2021, in the event, it is reported by the police station to the learned court below that petitioner on any of 15th



of any of the month has not marked his attendance in the police station then the learned court below would be at liberty to cancel his bail bond.

(Satyavrat Verma, J)

s.hassan/-

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