

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.35390 of 2020**

Arising Out of PS. Case No.-128 Year-2019 Thana- MOTIPUR District- Muzaffarpur

Santosh Sahani Son of Ramakant Sahani Resident of Village-Kothia Hariram  
Pujahi Tola, P.S.-Maheshi, District-East Champaran.

... .. Petitioner/s

Versus

The State of Bihar Bihar.

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Manoj Kumar

For the Opposite Party/s : Mr.Arun Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN  
SINGH**

ORAL ORDER

2      12-01-2021      Heard learned counsel for the parties.

This application for regular bail arises out of Motipur  
P.S. Case No. 128 of 2019, disclosing offences punishable under  
Sections 379 and 356 of the Indian Penal Code.

The petitioner was in custody in connection with  
Motipur P.S. Case No. 151 of 2019 registered for the offences  
punishable under Sections 399,402,413,414,120B of the Indian  
Penal Code and Sections 25(1-b)a, 26 and 35 of the Arms Act.  
He has been taken on remand on 23.06.2020 in the present case  
on the basis of the confessional statement of a co-accused made  
during the course of investigation of Motipur P.S. Case No. 151  
of 2019. In the present case, there is allegation that two  
miscreants snatched the informant's bag, containing some cash



when he was travelling in a motorcycle.

Learned counsel appearing on behalf of the petitioner has submitted that the said confessional statement of co-accused is the only basis for petitioner's implication in the present case and that there is no question of recovery of any incriminating material from the petitioner's possession. He is in custody since 23.06.2020.

Considering the submission that the confessional statement is the only material against the petitioner and there is no recovery from the petitioner's possession, this application is allowed.

Let the petitioner above-named be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM-II, West, Muzaffarpur in Motipur P.S. Case No. 128 of 2019.

**(Chakradhari Sharan Singh, J)**

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