

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59716 of 2021

Arising Out of PS. Case No.-75 Year-2021 Thana- BAKHTIARPUR District- Saharsa

ASHU KUMAR, Son of Yogendra Mehta Resident of Village - Kopa, Ward
No. 13, P.O. - Kashanagar, P.S. - Sonbarsa Raj, District - Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anant Kumar 1, Advocate

For the Opposite Party/s : Mr. Syed Ehteshamuddin, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 12-04-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with Bakhtiyarpur Town P. S. Case No. 75 of 2021, instituted for the offences under Sections 392 of the Indian Penal Code and Section 27 of the Arms Act.

The learned counsel for the petitioner submits that the petitioner is in custody since 31.05.2021 and has antecedent of two cases and charge-sheet has been submitted in this case and allegation is of snatching 95,000/- from the informant by two unknown criminals who fired on the glass of the informant's car shattering the same, further the informant who is the cloth merchant suspects that it was Rajesh, as the informant in the CCTV footage found Rajesh in the sequence of the occurrence, thus it was alleged that Rajesh got the occurrence committed with the help of other accused.

The learned counsel for the petitioner submits that the FIR is against unknown and this petitioner was arrested in Saharsa P.S. Case No. 212 of 2021 in which on 14.03.2021 he



was made to confess about his participation in the present occurrence. It is also submitted that the petitioner thereafter was remanded in this case on 31.05.2021.

Learned counsel for the petitioner submits that the police has falsely implicated the petitioner and even shown recovery of looted cash from his house.

It is further submitted that the money belonged to the family of the petitioner and in no manner it can be alleged that the recovered money was the looted money. It is further submitted that the confession made in the police custody has no evidentiary value.

Learned A.P.P. opposes the bail application and submits that petitioner has antecedent of two cases and if petitioner is granted bail he may delay the trial.

Considering the fact that the petitioner is in custody since 31.05.2021, charge-sheet has been submitted in this case and his name transpired in his own confessional statement, the petitioner, above-named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-IV, Saharsa in connection with Bakhtiyarpur P.S. Case No.75 of 2021 and further condition that one of the bailor shall be father of the petitioner. The petitioner shall be released on bail after framing of charge.

(Satyavrat Verma, J)

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