

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69526 of 2021

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

SIKANDRA KUMAR @ SIKANDAR KUMAR Son of Jai Narain Mehata
Resident of Village- Ram Nagar, Bharna, P.S.- Nauhatta, District- Saharsa.
... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rashmi Jha, Advocate
For the Opposite Party/s : Mr. Rajendra Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 11-05-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

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

Learned counsel for the petitioner submits that petitioner
is in custody since 31.05.2021, charge-sheet has been submitted
in the case and has antecedent of two cases and allegation is of
snatching Rs. 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 a cloth merchant
suspected that it was Rajesh, as the informant in the CCTV
footage found Rajesh in sequence of the occurrence, thus it was
alleged that Rajesh got the occurrence committed with the help



of the other accused.

Learned counsel for the petitioner submits that the F.I.R. is against unknown and one co-accused Ashu Kumar 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 and also disclosed the name of this petitioner, accordingly the petitioner based on the confessional statement of Ashu Kumar was arrested in Saharsa P.S. Case No. 212 of 2021, the learned counsel, thus, submits that based on confessional statement of co-accused the petitioner was arrested and was also made to confess his participation in the present occurrence, it is further submitted that though it is being shown that Rs. 1,15,000/- is alleged to have been recovered from the house of the petitioner based on the confessional statement of Ashu Kumar but then in the present F.I.R. the loot is only of Rs. 95,000/- It is further submitted that it was the money of the family which the police shows as looted money of two cases i.e. Saharsa P.S. Case No. 212 of 2021 and of the present case. It is further submitted that co-accused Ashu Kumar in whose confessional statement the name of this petitioner transpired has been granted bail by order dated 12.04.2022 in Criminal Misc. No. 59716 of 2021.



The learned A.P.P. for the State opposes the prayer for bail of the petitioner.

Considering the fact that the petitioner is in custody since 31.05.2021, charge-sheet has been submitted in the case and co-accused has been granted bail, let the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Bakhtiyarpur P.S. Case No. 75 of 2021 with a condition that one of the bailors shall be father of the petitioner namely Jai Narain Mehata.

(Satyavrat Verma, J)

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