

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.31301 of 2023**

Arising Out of PS. Case No.-117 Year-2018 Thana- DHAMDAHA District- Purnia

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Arun Mehta @ Arun Kumar Singh, Son of Sri Sitaram Mehta @ Sitaram Mehata, Resident of Village-Mokma, Bishunpur, Ward No.-11, P.S.- Dhamdaha, District-Purnea

... .. Petitioner/S

Versus

The State of Bihar.

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Sanjeev Kumar, Advocate

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

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA**  
**ORAL ORDER**

2      20-06-2023                      Heard learned counsel appearing on behalf of the  
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period  
of four weeks from today.

The petitioner seeks bail in connection with Sessions  
Trial No. 427/2022 (C.I.S. No. 427/2022) arising out of  
Dhamdaha P.S. Case No. 117/2018 registered for the offence  
under Section 395 of the Indian Penal Code.

The accused/petitioner is not named in the F.I.R. and  
is in custody since 25.06.2022.

The allegation against the petitioner is to commit  
dacoity alongwith other co-accused persons and while  
committing so taken away cash of Rs. 2,39,000/- from the



possession of informant.

Learned counsel appearing on behalf of the petitioner submitted that the petitioner implicated falsely in this case out of suspicion during the course of investigation, where his self confession was obtained in furtherance of which, no incriminating material recovered/surfaced which may connect petitioner *prima facie* with present occurrence of dacoity. While travelling over the argument, it is submitted that despite of the claim of informant that he may identify the miscreants, the petitioner was not put on TIP as yet. While concluding the argument, it is submitted that petitioner found involved in three more criminal cases, where he is on bail in two criminal cases and, moreover, investigation of this case is completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as save and except self confession, no incriminating material surfaced during the course of investigation to connect petitioner *prima facie* with alleged occurrence of dacoity, coupled with the fact that charge-sheet has already been submitted, where petitioner is in custody since 25.06.2022



accordingly, petitioner above named, is directed to be released on bail in connection with Sessions Trial No. 427/2022 (C.I.S. No. 427/2022) arising out of Dhamdaha P.S. Case No. 117/2018 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of 10<sup>th</sup> Addl. Sessions Judge, Purnea/concerned Court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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