

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43585 of 2023**

Arising Out of PS. Case No.-38 Year-2022 Thana- SUGAULI District- East Champaran

Bhola Sahani Son Of Dhanilal Sahani Resident Of Village - Madhopur
Mallahi Tola, P.S. - Majhauiliya, Distt. - West Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

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

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

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 27-07-2023 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

2. Heard learned counsel for the petitioner and learned A.P.P for the State.

3. The petitioner has preferred this application for grant of regular bail in connection with Sugauli P.S. Case No. 38 of 2022 dated 19.01.2022 registered for the offences u/ss 394 and 412 read with section 34 of the Indian Penal Code.

4. As per the prosecution case, Rs. 55,000/- and one mobile were looted by four unknown miscreants on the gun point and they started fleeing away but one miscreant fell down and he was apprehended by villagers and later on he disclosed his name as Harendra Sah.



5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The name of the petitioner has sprung up in the confessional statement of the co-accused Harendra Sah. Nothing has been recovered from the conscious possession of the petitioner. Similarly situated co-accused has already been granted bail by this court *vide* order dated 17.08.2022 passed in Cr. Misc. No. 24909 of 2022. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 15.05.2023.

6. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

7. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Motihari, East Champaran in connection with Sugauli P.S. Case No. 38 of 2022.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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