

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72486 of 2022

Arising Out of PS. Case No.-186 Year-2022 Thana- KAMTAUL District- Darbhanga

Sajan Choudhary S/O Shambhu Nath Choudhary Resident of Village-
Chahuta, P.S.- Bisfi, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Baidya Nath Prasad, Advocate
For the Opposite Party/s : Mr. Uma Shankar Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 20-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
instituted for the offence under Section 392 of the Indian Penal
Code.

3. As per prosecution case, the informant runs a C.S.P.
at Darbhanga, which is registered under S.B.I., when the
informant was returning to withdraw Rs. 3 lacs from the bank
for his C.S.P., in the meantime two persons overtake the
informant's motorcycle and dashed his motorcycle, on the point
of pistol snatched his bag containing Rs. 3 lacs and fled away. It
is further alleged that the informant immediately informed to
Kamtual P.S. and the police party reached there and
apprehended one person, who disclosed his name as petitioner



and police recovered the said amount and motorcycle from him.

4. It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. He has committed no offence. He submitted that no such occurrence has been occurred as alleged in the FIR rather the matter of fact motorcycle of the informant dashed with the petitioner's motorcycle for which some hot exchange of word took place between them, which turn into scuffle. Petitioner has no concern with the seized motorcycle and he was sat on the back seat of the motorcycle and was driven by co-accused Deepak Sahni, who ran away from the place of occurrence. Informant is a local person so some local person came in favour of the informant, who also begin to as use and beat the petitioner with fits and slaps and handed over to him at police station and lodged the present case by propounding a false and concocted story. He further submitted that the trial of this case is triable by learned Judicial Magistrate. Petitioner has no criminal antecedent as stated in para-3 of the bail petition. He is languishing in judicial custody since 28.07.2022.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and



considering the facts and circumstances of the case as well as period of custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Court concerned in connection with Kamtaul P.S. Case No. 186 of 2022.

(Sunil Kumar Panwar, J)

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