

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75120 of 2022

Arising Out of PS. Case No.-343 Year-2022 Thana- KOTWA District- East Champaran

Sanjay Sahani Son Of Bhukhal Sahani R/V- Laxmipur Gadariya, P.S.-
Raghunathpur (O.P.), District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abbhishek Kumar

For the Opposite Party/s : Mr.Umanath Mishra

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 24-03-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed the instant application for grant of regular bail in connection with Kotwa P.S. Case No. 343 of 2022 registered under section 395 of the Indian Penal Code.

Allegation against the co-accused persons along with this petitioner is that they looted the truck loaded with 25 tons of onion on pistol point, when the driver of the said truck was going to Samastipur from Madhya Pradesh. Further alleged that they snatched 30,000/- and mobile of the driver.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. The petitioner was not arrested on spot, his name came in this case on the basis of confessional statement of co-accused, namely, Umesh Ram



before the police. Nothing incriminating article has been recovered from his conscious possession rather the seized truck has been recovered from the possession of co-accused Umesh Ram. The petitioner has no concern with the alleged offence and except confess of other co-accused, nothing cogent material came against him to implicate in this case. He is languishing in judicial custody since 28.08.2022.

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

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as the custody of the petitioner, the Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Kotwa P.S. Case No. 343 of 2022 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned 10th Additional Chief Judicial Magistrate, Motihari, East Champaran.

(Sunil Kumar Panwar, J)

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