

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10891 of 2024

Arising Out of PS. Case No.-116 Year-2023 Thana- CHANDRADIP District- Jamui

SUNIL SAH, Son of Nand Kishor Resident of Village-Aliganj, P.S.-
Chandradeep, District-Jamui, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mayank Raj, Adv.

For the Opposite Party/s : Mr. Anil Kumar Singh No. 1, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 22-02-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Chandradeep P.S. Case No. 116 of 2023, lodged on 24.06.2023
under Sections 290, 385, 387, 307, 34 of the Indian Penal Code
read with section 27 of the Arms Act.

3. As per the prosecution case, FIR has been lodged
against four named accused persons and 4-5 unknown accused
persons against whom the allegation is that they fired in the
market to terrorize the shop-keeper in order to collect *Rangdari*
from the shop-keeper.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Counsel
also submits that the petitioner is not named in the FIR. Counsel



further submits that the informant is the police official and name of the petitioner has been figured in this case only by virtue of investigation which has been acknowledged in the order of the Sessions Judge, Jamui that with the help of a spy, two accused persons who were arrested have disclosed the name of the petitioner in commission of crime. Counsel submits that the petitioner's name has been figured in this case at the instance of police only due to the reason that criminal antecedent of the petitioner is not clean.

5. Learned counsel for the petitioner submits that the antecedent of the petitioner is not clean and there are six criminal cases pending against him in which he is on bail. The petitioner is in custody since 21.10.2023 in the present case. Counsel also submits that the charge-sheet has already been filed in this case.

6. Learned APP for the State opposes the prayer for bail of the petitioner and submits that the antecedent of the petitioner is not clean and this aspect may be taken into consideration while considering the bail application of the petitioner.

7. In the present facts and circumstances of this case and the submissions made above, **let the petitioner above**



named be granted bail, but only after framing of charge, if not framed on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M 1st Class, Jamui in connection with Chandradeep P.S. Case No. 116 of 2023, subject to the conditions as laid down U/s 437(3) Cr.P.C.

8. However, the petitioner shall be granted bail only on being satisfied by the Trial Court that the petitioner is not absconding in any of the cases pending against him whose details are as follows:-

(I)- Chandradeep P.S. Case No. 80 of 2014.

(II)- Chandradeep P.S. Case No. 27 of 2018.

(III)- Chandradeep P.S. Case No. 22 of 2021.

(IV)- Chandradeep P.S. Case No. 26 of 2021.

(V)- Chandradeep P.S. Case No. 115 of 2023.

(VI)- Chandradeep P.S. Case No. 04 of 2015.

(Dr. Anshuman, J.)

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