

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12377 of 2024

Arising Out of PS. Case No.-141 Year-2023 Thana- PIPRAHI District- Sheohar

Nanhku Sah S/o Mahadeo Sah R/o Vill - Chamanpur, P.S. - Sheohar, Dist. - Sheohar

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Ajay Kumar Thakur, Advocate Ms.Vaishnavi Singh, Advocate Mr.Ritwik Thakur, Advocate
For the Opposite Party/s :		Mr.Narsingh Tanti, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 12-07-2024 Heard Mr. Ajay Kumar Thakur along with Ms. Vaishnavi Singh and Mr. Ritwik Thakur, learned counsels appearing on behalf of the petitioner and Mr. Narsingh Tanti, learned APP for the State.

2. The petitioner seeks regular bail in connection with Piprahi P.S.Case 141 of 2023 for the offences punishable under Sections 395 & 397 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per the allegation made in the FIR, which is against unknown, the accused persons had committed *dacoity* and looted Rs. 26,30,000/- from the Bank of Baroda, Ambakala Branch.

4. Learned counsel appearing on behalf of the



petitioner submitted that petitioner is innocent and he has falsely been implicated in the present case. Name of the petitioner has come in course of investigation on the basis of confessional statement of on co-accused, Chitranjan Sah and his self confession in the police custody, which has no evidentiary value in the eye of law. Co-accused Aman Singh @ Raja has been granted pre-arrest bail in Cr. Misc. No.84152 of 2023 and Chitranjan Sah has been granted regular bail in Cr. Misc. No.9113 of 2024, against whom the similar allegation has been made.

5. Learned APP has opposed the prayer for grant of regular bail to the petitioner.

6. Having considered the rival submissions made on behalf of the petitioner, as well as, the nature of allegation made against the petitioner and the fact that name of the petitioner has surfaced on the basis of confessional statement of co-accused, namely, Chitranjan Sah in police custody, which *prima facie*, has no evidentiary value in the eye of law. I am of the opinion that petitioner has, *prima facie*, made out a case to be released on bail. The petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the



satisfaction of the learned J.M. 1st Class, Sheohar in connection with Piprahi P.S.Case No.141 of 2023, subject to the following conditions:-

- (1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court concerned.
- (3) If the petitioner tampers with the evidence or the witnesses of the case, the prosecution will be at liberty to move for cancellation of bail of the petitioner.
- (4) If the petitioner is found involved in similar nature of offences, after his release on bail, the trial court shall take steps to cancel his bail bond.
- (5) The court below is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases as what has been stated in Para-3 of the bail petition, this order will automatically loose its force.

(Purnendu Singh, J)

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