

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9113 of 2024

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

Chitranjan Sah, aged about 36 years, Male, S/O BHOJI SAH, Resident of
VILLAGE- CHAMANPUR, PS. SHEOHAR, DIST. SHEOHAR.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. A. K. Thakur, Advocate Mrs. Vaishnavi Singh, Advocate
For the Opposite Party/s	:	Mr. Ajit Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 19-04-2024 Heard Mr. A. K. Thakur, learned counsel along with
Mrs. Vaishnavi Singh, appearing on behalf of the petitioner and
Mr. Ajit Kumar, learned APP for the State.

2. Petitioner seeks regular bail in connection with
Piprahi P.S. Case No. 141 of 2023 registered 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 lacs from a branch of Bank of Baroda.

4. Learned counsel appearing on behalf of the
petitioner submitted that on the basis of confessional statement
of the petitioner, while he was taken into custody in Piprahi P.S.



Case No.146 of 2023, he has been made accused in the present case. No currency has been recovered either from the possession of the petitioner or from his house, out of the total looted amount of rupees twenty six lacs. The CCTV footage also don't conclusively shows the picture of the petitioner at the place of occurrence. However, he admits that the forensic report of the CCTV footage has not been produced before the District Court till date by the investigating officer. It is lastly submitted that petitioner is in custody since 01.07.2023. On these grounds, learned counsel submits that petitioner deserves to be released on bail.

5. Mr. Ajit Kumar, learned APP appearing on behalf of the State, after going through the case diary, informs that mobile location of the petitioner was near the vicinity at the place of occurrence, as would appear from paragraph no.33 of the case diary. It is too early to conclude that the petitioner was not involved in the alleged offence, considering the fact that forensic report with respect to CCTV footage has not been produced before the District Court till date. On these grounds, he opposes the bail prayer of the petitioner.

6. Considering the rival submissions made on behalf of the parties, as well as, the fact that though the petitioner has



been able to make out a case that he was not connected with the alleged offence of committing dacoity of Rs.26 lacs from the Bank of Baroda, Ambakala Branch, Samastipur but in absence of forensic report relating to CCTV, it is too early to conclude that petitioner was not one of the accused, who had committed dacoity.

7. The District Court is directed to call for the forensic report with respect to the CCTV footage as already the software has been sent to Central Forensic Science Laboratory, Kolkata for sending the report with respect to the genuineness of the photograph and the CCTV footage, as would appear from paragraph no.332 of the case diary.

8. The Director, Central Forensic Science Laboratory must not delay in sending the FSL report beyond the period of three weeks from the date of this order.

9. The District Court, once receive the report and finds that petitioner was not present at the place of occurrence, then in that case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Sheohar in connection with Piprahi P.S. Case No. 141 of 2023.



10. Let a copy of this order be sent to the Director,
Central Forensic Science Laboratory, Kolkata at the appropriate
address.

11. The bail application stands disposed of.

(Purnendu Singh, J)

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