

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12237 of 2024

Arising Out of PS. Case No.-473 Year-2023 Thana- BANIAPUR District- Saran

Hanan Sah, Male, aged about 26 years, Son of Muslim Sah @ Muslim Sai,
Resident of Village- Bannaganj, P.S.- Daraunda, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandra Mohan Jha, Advocate

For the Opposite Party/s : Mr. Binod Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 05-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Baniyapur PS Case No. 473 of 2023 instituted for the offences
punishable under Section 394 of the Indian Penal Code.

3. As per the prosecution case, three unknown
miscreants boarded on a motorcycle came and snatched two
mobile phones and motorcycle and fled away.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence and has
falsely been implicated in this case merely on the basis of
ulterior motive of the informant. He next submits that the
petitioner is not named in the FIR and has not arrested on the
spot. Nothing incriminating articles have been recovered from
the conscious possession of the petitioner or from his house. He



has been made accused on the basis of confessional statement of co-accused. He is in custody since 18.12.2023.

5. Learned APP opposes the prayer for bail.

6. From perusal of the FIR, case diary and impugned order of the learned Sessions Judge, Saran at Chapra dated 16.01.2024, it appears that petitioner is not named in the FIR and his name transpired in this case on the basis of confessional statement of co-accused Sonu Kumar Sharam. Similarly situated co-accused namely, Sonu Kumar Sharma has been granted bail by a co-ordinate Bench of this Court in Cr. Misc. No. 7556 of 2024 dated 17.02.2024, accordingly the prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Saran at Chapra in connection with Baniyapur PS Case No. 473 of 2023.

(Ramesh Chand Malviya, J)

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