

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9760 of 2024

Arising Out of PS. Case No.-136 Year-2023 Thana- SAHARGHAT District- Madhubani

PAPPU SAH @ PAPPU KUMAR S/O DINESH SAH R/O VILLAGE-
GANGAUR, P.O AND P.S- HARLAKHI, DISTT.- MADHUBANI, BIHAR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Ashutosh Nath, Advocate
	Mr. Raushan Kumar, Advocate
	Mr. Kumar Aaditya, Advocate
	Ms. Pratiksha Mishra, Advocate
For the Opposite Party/s :	Mr. Narendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 22-02-2024 1. Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Saharghat P.S Case no.136 of 2023 registered under sections 395, 397 and 398 of the Indian Penal Code, section 27 of the Arms Act and sections 3/4 of the Explosive Substance Act.

3. As per the prosecution case, the informant states that he along with members of his family having gone to sleep, he woke up on hearing some sound. On going on his terrace, he found 40-50 accused persons variously armed. Information was given to the police station, however in the meantime the accused



persons entered. They resorted to firing etc. and also assaulted the informant's brother with an iron rod causing injuries to different persons. A number of articles were stolen and taken away by the accused persons.

4. Learned counsel for the petitioner submits that the FIR was registered against 40-50 unknown accused persons. The name of the petitioner transpired in course of investigation in the confessional statement of co-accused Chandra Narayan Sah, certified copy of which has been brought on record at page no.17. In the said confessional statement, the petitioner is said to have acted like a liner. Neither any incriminating article has been recovered from the petitioner's possession nor has he been put on T.I parade inspite of being in custody since 19.10.2023. He has no criminal antecedent and charge-sheet has been submitted in the case.

5. The prayer for bail is opposed by learned A.P.P for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the FIR, no incriminating article having been recovered from the petitioner's possession, his not having been put on T.I parade inspite of being in custody since 19.10.2023 and charge-sheet having been



submitted in the case, the petitioner is directed to be enlarged on bail in connection with Saharghat P.S. Case no.136 of 2023 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 Judicial Magistrate 1st Class, Benipatti, District-Madhubani.

(Partha Sarthy, J)

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