

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17190 of 2024

Arising Out of PS. Case No.-390 Year-2023 Thana- MAHUA District- Vaishali

Arjun Kumar, age about 24 years, Male Son of Shyam Babu Ram, Resident of
Village- Narayanpur Buzurg, P.S.- Mahua, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satya Prakash Sinha, Advocate

For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP

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

ORAL ORDER

2 20-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Mahua
PS Case No. 390 of 2023 instituted for the offences punishable
under Sections 399 and 402 of the Indian Penal Code and
Sections 25(1-b)a, 26 and 35 of the Arms Act.

3. As per the prosecution case, three miscreants came
on a motorcycle chased the informant and snatched jhola
containing Rs. 7,00,000/- from the hands of the Munshi 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 on the basis of dirty village



politics. No incriminating articles have been recovered from the conscious possession of the petitioner. Petitioner is doing private job in a company at Tirpur, Chennai in Tamilnadu and when he came to his house in the marriage of his nephew, he has been implicated in this case. Petitioner is in custody since 23.09.2023.

5. Learned APP opposes the prayer for bail.

6. From perusal of the FIR and the impugned order of the learned Additional District and Sessions Judge-II, Vaishali at Hajipur dated 05.01.2024, it appears that petitioner has been made accused only on the basis of suspicion. The name of the petitioner surfaced on the basis of confessional statement of co-accused Sanni Kumar. Petitioner is in custody in another case and remanded in this case. No Test Identification Parade has been conducted till date. Investigation has already been completed and chargesheet has been submitted under Section 395 of the Indian Penal Code, accordingly the prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail *after commitment of the case* 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, Vaishali at Hajipur in connection with Mahua PS



Case No. 390 of 2023.

7. The trial Court is directed to conclude the proceeding of commitment within a period of one month.

(Ramesh Chand Malviya, J)

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