

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14678 of 2024

Arising Out of PS. Case No.-308 Year-2023 Thana- PIPRA District- East Champaran

Samir Kumar, Son of Kishori Sahani, Resident of Village- Kotwara, PS- Paru
District- muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kundan Rathore, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 14-03-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Pipra P.S. Case no. 308 and 2023 registered under sections 420, 406 and 379 of the Indian Penal Code.

3. As per the prosecution case, the informant states that the four named accused persons namely Niraj Kumar Sahani, Pankaj Kumar Sahani, Lalu Sahani @ Bablu Sahani and Vijay Sahani stopped him. They stated that police was after them and thus the informant should keep Rs.2 lacs which they were carrying with them and give them the amount which the informant had withdrawn from the ATM machine. The informant states that he gave a sum of Rs.49,500/- to the four named accused which he had withdrawn from the ATM.



4. Learned counsel for the petitioner submits that the petitioner is not named in the FIR. He was falsely implicated in the case in course of investigation. No incriminating article has been recovered from the his possession. He is in custody since 8.10.2023 and charge-sheet has been submitted in the case.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the FIR, the petitioner not being named therein, the contents of the order of the learned trial Court together with the petitioner having remained in custody for 5 month since 8.10.2023 and charge-sheet having been submitted in the case, the petitioner is directed to be enlarged on bail in connection with Pipra P.S. Case no. 308 and 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 Chief Judicial Magistrate, Motihari, East Champaran.

(Partha Sarthy, J)

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