

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.21022 of 2024**

Arising Out of PS. Case No.-122 Year-2022 Thana- BIRAUL District- Darbhanga

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Raja Sahani @ Munna Maikal Son of Mahesh Sahani R/o Village- Lohiya  
Nagar, Ward No. 28, P.S.- Lohiya Nagar Muffsil, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Arun Tiwari, Advocate

For the Opposite Party/s : Mr. Umanath Mishra, APP

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA**  
**ORAL ORDER**

4      26-07-2024                      Heard learned counsel for the petitioner and  
  
learned Additional Public Prosecutor for the State.

**2.** The accused/petitioner seeks bail in connection  
  
with Biraul P.S. Case No. 122 of 2022 registered for the  
  
offence punishable under Sections 395, 397, 412/120-B of  
  
the Indian Penal Code and Section 27 of the Arms Act.

**3.** The accused/petitioner is not named in the FIR  
  
and is in custody since 08.11.2023.

**4.** Allegation against the petitioner is to commit  
  
dacoity in Punjab National Bank, Supaul Bazar Branch,  
  
District – Darbhanga on 07.04.2022 and while committing  
  
so taken away cash worth Rs. 41,79,457/-(Rupees Forty



One Lakh Seventy Nine Thousand and Four Hundred Fifty Seven).

**5.** It is submitted that the name of petitioner surfaced on the basis of confessional statement of co-accused Md. Rahmat, Khurshid Alam and Aslam Azad, where in furtherance of their confessional statements nothing incriminating/recovered during the course of investigation as to connect petitioner *prima-facie* with the present occurrence of bank dacoity. It is pointed out that no T.I.P. was conducted till date. While concluding argument, it is submitted that petitioner found involved in ten more criminal cases where he is on bail in all cases and in maximum of the cases his name surfaced on the basis of confessional statement, as of the present case, having otherwise no evidentiary value and moreover investigation of this case has been completed, for which, charge-sheet has been submitted and, as such, there is no chance of tampering with the evidence.

**6.** Learned APP opposes the prayer for grant of bail to the petitioner.



7.In view of aforesaid facts and circumstances, and by taking note of fact as save and except suspicion arises out of confessional statement of co-accused persons namely, Md. Rahmat, Khurshid Alam and Aslam Azad nothing surfaced against the petitioner as to connect him *prima-facie* with the present occurrence of bank dacoity, coupled with the fact that investigation has already completed, where petitioner is in custody since 28.11.2023, accordingly, the petitioner, above-named, is directed to be released on bail furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-I, Biraul Darbhanga in connection with Biraul P.S. Case No. 122 of 2022, subject to the conditions as laid down under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J.)

S.Tripathi/-

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