

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25608 of 2024

Arising Out of PS. Case No.-91 Year-2022 Thana- GHORASAHAN District- East
Champaran

=====

Dilip Kumar @ Dileep Yadav @ Dilip Kumar Yadav, aged about 19 years,
Son of Rajendra Rai at present Resident of Village-Bara Pakahi, P.S.-
Chhauradano, District-East Champaran, Motihari, Permanent resident of
Village-Dhum Nagar Phatehpur, P.S.-Lakhawa, District-East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar, Advocate

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

=====

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

ORAL ORDER

2 10-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Ghorasahan PS Case No. 91 of 2022 instituted for the offences
punishable under Sections 395 and 397 of the Indian Penal
Code.

3. As per the prosecution case, the informant went to
delivered his goods and recover money with his pick-up driver
and returned with his colleague and when he reached near the
bridge, in the meantime some unknown apache bike rider
overtake him and four unknown persons looted Rs. 4,00,000/-
and six cheque on the point of gun and brutally assaulted the



driver of the vehicle and also snatched Apple mobile of the informant.

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 due to dirty village politics. The FIR is against six unknown persons. The name of the petitioner came in this case on the basis of spy and confessional statement of co-accused namely Ajit Anand @ Bittu. Nothing has been recovered from the possession of the petitioner. During the course of investigation the police has not found any material against the petitioner. Petitioner is in custody since 22.12.2023.

5. Learned APP opposes the prayer for bail.

6. From perusal of the FIR and the impugned order of the learned 22nd Additional Sessions Judge, East Champaran, Motihari dated 11.03.2024, it appears that petitioner is not named in the FIR and the name of the petitioner has been surfaced on the basis of confessional statement of Co-accused Ajit Anand @ Bittu. Nothing has been recovered from the conscious possession of the petitioner and he has not put on Test Identification Parade. Similarly situated co-accused person has been granted bail by this Court in Cr. Misc. No. 68170 of 2023 vide order dated 02.11.2023, 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 A.C.J.M.-III, Sikarhana (Dhaka) at Motihari, East Champaran in connection with Ghorasahan P.S. Case No. 91 of 2022.

(Ramesh Chand Malviya, J)

Anand Kr.

U		T	
---	--	---	--

