

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35874 of 2024

Arising Out of PS. Case No.-422 Year-2018 Thana- BARH District- Patna

Sankat Mochan son of Dinesh Kumar Singh Village- Jairampur Ps- Seikhpura
Dist- Seikhpura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Pandey, Advocate
For the State : Mr. Pawan Kumar Chaurasia, APP

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

ORAL ORDER

2 23-05-2024 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner apprehends his arrest in connection with Barh P.S. Case No. 422 of 2018 registered for the offence punishable under Section 414 of the Indian Penal Code.

3. As per the prosecution case, the informant who is the Sub Inspector of Barh PS on information of his superior that some outsiders have come in Barh to commit crime, the informant arrested one person from Yamaha motorcycle without registration no. and two persons from the car bearing registration no. DL2CM5368 and others were succeeded including petitioner to flee away.



4. Learned counsel for the petitioner submits that the petitioner is innocent and have falsely been implicated in the present case. He further submits that it appears from a bare perusal of the FIR, the petitioner was not arrested on spot and the name of petitioner has figured in this case on the basis of confessional statement made by co-accused person before the police and the petitioner has got clean antecedent, there is no recovery from the possession of the petitioner.

5. However, learned APP for the State vehemently opposed the prayer for regular bail.

6. On perusal of the FIR and impugned order dated 18.03.2019, petitioner was not arrested on spot and there is no recovery from the conscious possession of the petitioner and the name of the petitioner has surfaced in this case on the basis of confessional statement of other co-accused person.

7. Considering the aforesaid facts and circumstances of the case and submissions made by learned counsel for the petitioners, in the event of their arrest or surrender before the Court below within six weeks from



today, 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 to the satisfaction of learned Court of Learned A.C.J.M. Barh, Patna in connection with Barh P.S. Case No. 422 of 2018, subject to the condition as laid down under Section 438(2) of the Cr.P.C .

(Ramesh Chand Malviya, J)

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