

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48493 of 2024

Arising Out of PS. Case No.-216 Year-2023 Thana- SONBERSHA RAJ District- Saharsa

Bechan Kumar @ Bechan Yadav S/o Ashok Yadav R/o vill - Shahpur, P.s -
Sonbarsa Raj, Distt. - Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amarnath Jha, Adv.

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 24-07-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Sonbarsa Raj P.S. Case No.216 of 2023 lodged under Sections
399 and 402 of the I.P.C. read with Section 25(1-B)a 26/35 of
the Arms Act.

3. As per the prosecution case, the F.I.R. has been
lodged against 8 named accused persons including the petitioner
against whom there is allegation of planning of loot and also
recovery of country made pistol has been made, which is subject
matter of the present case.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He submits
that the petitioner has neither been apprehended from the place



of occurrence nor anything recovered from his possession and petitioner's name has figured in this case by virtue of confessional statement of co-accused. He further submits that such mistakes shall take place in future.

5. Counsel for the petitioner submits that petitioner is in custody since 30.11.2023 having six criminal antecedent in which he is on bail and due to this reason, he is apprehending in jail.

6. Learned counsel for the State opposes the prayer for bail.

7. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail, **but only after framing of charge, if not framed** as well as on being satisfied by the trial court that the petitioner is not absconding in any of the cases which are pending against him whose details are mentioned below, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned J.M. 1st class, Saharsa or Successor Court in connection with Sonbarsa Raj P.S. Case No.216 of 2023, subject to the following conditions as laid down under Section 437(3) of Cr.P.C.



8. The details of the cases which are pending against the petitioner, are as follows:-

- i. Sonbarsa Raj P.S. Case No.118 of 2020.
- ii. Sonbarsa Raj P.S. Case No.202 of 2018.
- iii. Sonbarsa Raj P.S. Case No.136 of 2020.
- iv. Sonbarsa Raj P.S. Case no.85 of 2022.
- v. Sonbarsa Raj P.S. Case No.322 of 2022.
- vi. Sonbarsa Raj P.S. Case No.260 of 2023.

(Dr. Anshuman, J.)

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