

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46658 of 2024

Arising Out of PS. Case No.-56 Year-2024 Thana- BISHUNPUR CHOWK District-
Darbhanga

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JULUM KUMAR SADAY @ JULUM KUMAR SADA S/O SURESH
SADAY @ SURESH SADA R/O village- Gorhaila, P.S.- Bishanpur, Dist.-
Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Aditya Narayan Singh.1, APP

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 10-07-2024 Heard learned counsel for the parties.

2. The petitioner seeks regular bail, who is in custody in connection with Bishanpur P.S. Case No. 56 of 2024 registered for the offences punishable under Sections 25(1-B)a, 26 and 35 of the Arms Act.

3. The informant runs a customer service point of State Bank of India. On the alleged date of occurrence when he was going on his motorcycle to deposit a cash amount of Rs. 5,95,275/- in the meantime, three miscreants coming on a motorcycle dashed him. After overpowering the informant they snatched the bag containing the aforementioned amount and succeeded in fleeing away. It is also alleged that while the informant was leaving his house he had also received a call



from mobile no. 9955808990 enquiring about the informant when he leave his house. Thus, suspicion has been raised over the holder of the mobile number.

4. Learned advocate for the petitioner contended that from the narrations made in the FIR, it is evident that two accused persons who were indulged in the crime apprehended by the local people and from whose possession some looted cash were recovered and the apprehended persons also disclosed the name of their accomplice. However, during the course of investigation the name of the petitioner has been surfaced only on suspicion being a co-villager of the informant. It is the contention of the learned counsel for the petitioner that the petitioner has neither any concern with the apprehended person nor with the mobile number from which a call was made to the informant. The name of the petitioner has surfaced after seven days of the alleged occurrence and no incriminating material has been recovered from his possession showing the complicity of the petitioner in the crime. It is lastly contended that the petitioner is languishing in judicial custody since 26.05.2024 having clean antecedent.

5. On the other hand, learned counsel for the State opposed the bail application and submits that the petitioner



appears to be a member of the gang who are indulged in looting.

6. Regard being had to the submissions made on behalf of the parties and considering the fact that the apprehended person did not disclose the name of the petitioner and his name comes only on suspicion. Moreover, the amount of Rs. 12,850/- recovered from the petitioner has never been put on Test Identification Parade coupled with the fair antecedent, let the petitioner above named be released on bail, on furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M, Darbhanga in connection with Bishanpur P.S. Case No. 56 of 2024.

(Harish Kumar, J)

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