

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49110 of 2024

Arising Out of PS. Case No.-464 Year-2021 Thana- KOTWALI District- Munger

Sanni Yadav @ Sanni Kumar, aged 25 years (Male), S/O Deep Narayan Yadav @ Deepan Yadav, R/O Village/Muhalla- Shadipur, P.S- Kotwali, Distt.- Munger.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Sanjiv Singh, Advocate

For the Opposite Party : Mr. Madhura Nand Jha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 29-08-2024 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with Kotwali P.S. Case No. 464A/2021, arising out of Kotwali P.S. Case No. 464 of 2021 dated 18.10.2021 registered for the offence punishable under Section 392 of the I.P.C. Later on, Section 411 of the I.P.C. was also added.

3. As per the prosecution case, on 18.10.2021, the informant went to work at *Priyanka Traders, Maksaspur*. On the same day at around 3.15 P.M., on the instruction of the owner (Suman Devi) of *Priyanka Traders*, he alongwith the staff Dharmendra Kumar and owner Gopal Prasad of the said company went on two motorcycles to deposit Rs. 49,00,000/- in



the State Bank of India, *Bazzar Branch, Munger*. He was driving the motorcycle and Dharmendra Kumar was sitting behind him with money bag. The owner Gopal Prasad was going from behind them on another motorcycle. At about 3.30 P.M., he reached near *Sadipur Katyani Gali*, where two persons came riding on a motorcycle and dashed with his motorcycle and they snatched the bag of money from the hands of Dharmendra Kumar. They also threatened to kill and started fleeing away. The informant chased but they succeeded in fleeing away. It is further alleged that in course of chasing, the accused persons opened fire on the owner Gopal Prasad but fortunately he was saved. The motorcycle of the accused was black in colour without its registration number.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is submitted that during the course of investigation of this case on the basis of CCTV footage, the petitioner and the co-accused Dasrath Yadav were identified but no incriminating article has been recovered from their possession and thereafter, with the help of tower location, the houses of Gunjan Devi and Anil Yadav were searched and Rs. 44,00,000/- was recovered from their houses and they disclosed this fact that



the alleged looted cash had given to them by Dasrath Yadav. The petitioner is not named in the F.I.R. His name has surfaced in the present case on the basis of the confessional statement of the Gunjan Devi. No incriminating article has been recovered from the possession of the petitioner. The charge has been framed against this petitioner. It is further submitted that due to non-fulfilment of illegal demand made by the informant, this false present case has been filed by the informant against the petitioner. The other co-accused person Dasrath Yadav @ Bahira Yadav has already been granted bail by a Bench of this Court vide Cr. Misc. No. 53623 of 2024 under order dated 19.08.2024. The petitioner has three criminal antecedents in which he is on bail as stated in paragraph no. 3 of the bail petition. He is in custody in this case since 16.02.2022.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned J.M. Ist Class, Munger in connection with Kotwali P.S. Case No. 464A/2021,



arising out of Kotwali P.S. Case No. 464 of 2021.

7. The application stands allowed.

(Chandra Prakash Singh, J)

U.K./-

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

