

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.54261 of 2024**

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

=====

Alok Kumar S/O Chandeshwar Sahni R/O Village- Tisidih, P.S- More, Distt.-  
Darbhanga.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr. Girish Chandra Jha, Advocate

For the Opposite Party/s : Mr. Choubey Jawahar, APP

=====

**CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR**  
**ORAL ORDER**

2      13-09-2024                      Heard Mr. Girish Chandra Jha, learned counsel  
  
appearing on behalf of the petitioner and Mr. Choubey Jawahar,  
  
learned Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection  
with Bishanpur Chowk P.S. Case No.56 of 2024, registered for  
the offences punishable under Section 394 of the Indian Penal  
Code and Sections 25(I-B)(a)/26,35 of the Arms Act.

3. The informant is said to be operator of CSP of State  
Bank of India. On the alleged date of occurrence while the  
informant was going to his Mini Branch along with cash of  
Rs.5,00,000/-, in the meantime, three miscreants came on a  
motorcycle and intercepted him. On the point of pistol they  
snatched the bag containing money and tried to flee away,  
however, two of the miscreants were apprehended by the



villagers and one succeeded in fleeing away. The pistol and the looted money were also recovered from the apprehended persons. The informant also alleged that while he was about to leave the house, in the meantime, he received a call wherein the caller said that he has to deposit the money and when he would come to CSP; thus suspicion has been raised.

4. Learned Advocate appearing on behalf of the petitioner contended that the petitioner is not named in the FIR, however, only on account of the fact that suspicion has been raised against the caller who had made a call to the informant while he was about to leave his house. Subsequently during the course of investigation, the name of the petitioner has been implicated as a liner in the crime. Save and except the fact that the petitioner had made a call to the informant before the occurrence there is no material suggesting the complicity of the petitioner. The petitioner was a *bona fide* customer and he had made a call in order to deposit the money. The apprehended persons never disclosed the name of the petitioner as their accomplice.

5. On the other hand, learned Advocate for the State drawing the attention of the impugned order submitted at the bar that during the course of investigation it transpired that the



petitioner worked as a liner in facilitating the crime.

6. Regard being had to the submissions made on behalf of the parties and considering the materials available on record which only suggest that before the occurrence the petitioner had made a call to the informant and save and except there is no material, let the petitioner above named be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM-IX, Darbhanga in connection with Bishanpur Chowk P.S. Case No.56 of 2024, subject to the conditions laid down in Section 438(2) Cr.P.C. with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

durgesh/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

