

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.65189 of 2024**

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

Sanjay Ram Son of Suresh Ram Resident of Village- Gudhaila, Police station-  
Bishanpur, District- 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. Ram Bilash Roy Raman, 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. Ram Bilash Roy  
Raman, 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, Patori 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



looted money were also recovered from the apprehended person.

4. Learned Advocate appearing on behalf of the petitioner contended that the name of the petitioner has surfaced during the course of investigation where the co-accused Julum Kumar Sada has confessed his involvement in the crime and stated about the complicity of the petitioner. Save and except the confessional statement, there is no material. It is further contended that the petitioner was an auto driver having inimical term with chowkidar, however, despite the fact that he also tried to catch the accused persons and it is he who snatched the bag and pistol from the accused, his name has been implicated in this case on suspicion. So far the allegation that an amount of Rs.62,000/- was recovered from the house of the petitioner that belongs to the petitioner and moreover, neither the petitioner nor the cash amount of Rs.62,000/- has ever been put to test identification parade.

5. On the other hand, learned Advocate for the State vehemently opposed the bail application and submits that there are cogent materials suggesting the complicity of the petitioner in the crime and Paragraph-95 of the case diary as reveals from the impugned order suggest that looted money have been recovered from the house of the petitioner.



6. Regard being had to the submissions made on behalf of the parties and considering the fact that the name of the petitioner transpired on the confessional statement of co-accused and on the basis thereof, the police raided the house of the petitioner from where the cash amount of Rs.62,000/- was recovered which is said to be a subject matter of crime. This court is not acceded to prayer of the petitioner for grant of anticipatory bail.

7. Accordingly, the prayer of the petitioner stands rejected.

8. Let the petitioner surrender before the learned ACJM-IX, Darbhanga, preferably within a period of four weeks. In case the petitioner surrenders within the period stipulated, the learned jurisdictional court shall consider the case of the petitioner expeditiously without being prejudiced by the present order.

(Harish Kumar, J)

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