

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69103 of 2023

Arising Out of PS. Case No.-230 Year-2022 Thana- KOCHADHAMAN District- Kishanganj

Binod Sah @ Chamaru @ Chmara Sah @ Vinod Lal Sah Son Of Baldev Sah
@ Baldev Prasad Sah Vill-Sukara Po-Shishabari Ps-Rauta Dist-Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar, Adv.

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 25-01-2024 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

2. Petitioner apprehends his arrest in connection with Kochadhaman P.S. Case No. 230 of 2022 dated 13.09.2022, registered for the offence punishable u/s 392 (Sections 395 and 412 of I.P.C. were later added vide order dated 04.01.2023), pending in the court of learned Chief Judicial Magistrate, Kishanganj.

3. Allegation against the petitioner is that he along with other miscreants have committed robbery and snatched money from the informant.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has been falsely implicated



in this case due to previous grudge. The allegations levelled against the petitioner is general and omnibus in nature. Nothing incriminating articles have been recovered from the conscious possession of the petitioner. Petitioner has been made accused in the present case based on a confessional statement of one Naresh Chandra Goldar @ Harsha in another case i.e. Kochadhaman P.S. Case No. 231 of 2022. Petitioner has one criminal antecedent as mentioned in para 3 of the bail application.

5. Per contra, learned APP for the State vehemently opposed the bail petition and submitted that there is ample evidence against the petitioner and co-accused in his confession before the police has named the petitioner that he is also involved in the present case. The allegations levelled against the petitioner is serious in nature, hence he does not deserve anticipatory bail.

6. Considering the facts and circumstances of case, the nature of offence is serious, I am not inclined to enlarge the petitioner on bail. The prayer for bail of the petitioner is hereby rejected.

7. However, if the petitioner surrenders before the learned Court below within six weeks from today and seek regular bail,



the learned Court below shall pass order on the same day in
accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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