

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73142 of 2024

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

Sunil Kumar @ Sunil Kumar Sahni S/o Dinesh Sahni R/o Village- Godhaila,
PS- Bishanpur, Distt- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar Das

For the Opposite Party/s : Mr.Uma Shankar Prasad Singh

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 18-12-2024 Heard learned Advocate for the petitioner and 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.5,95,275/-, 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 for the petitioner contended that apart from the fact that the petitioner is not named in the FIR, there is no material save and except the confessional statement of co-accused Ram Julum Sada. Moreover, nothing has been recovered from the conscious or constructive possession of the petitioner. Co-accused person having identical allegation, whose name has also been transpired on the confessional statement of co-accused, has been allowed the privilege of anticipatory bail by this Court in Cr. Misc. No. 54261 of 2024 vide order dated 13.09.2024. The petitioner is a man of fair antecedent and he undertakes that he will fully cooperate in the investigation or in the proceeding of the court.

5. On the other hand, learned Advocate for the State vehemently opposes the bail application.

6. Regard being had to the submissions made on behalf of the parties and considering the fact that save and except the confessional statement, there is no other material;



moreover co-accused person having more or less identical allegation has been allowed the privilege of anticipatory bail as afore noted, let the petitioner abovenamed 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)

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