

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3540 of 2024

Arising Out of PS. Case No.-265 Year-2019 Thana- ROSERA District- Samastipur

Chhoti Sahni @ Chhote Son of Late Upendra Sahni R/O Village- Lohia
Nagar, P.S.- Begusarai Torn, Dist.- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yogesh Kumar, Advocate

For the Opposite Party/s : Mr. Gauri Shankar Gupta, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 07-02-2024 Heard learned counsel for the petitioner and
learned APP for the State.

2. In the present case, the petitioner is apprehending arrest in connection with Rosera P.S. Case No. 265 of 2019, registered on 23.08.2019 for the offences under Sections 395 and 397 of the Indian Penal Code.

3. As per prosecution case, six miscreants on two motorcycles looted the informant and his brother, who were carrying expensive mobile phones and cash of ₹18,000/-. The miscreants also assaulted the brother of the informant with knife and butt of the gun and also opened fire. The name of the petitioner came up in the confessional statement of co-accused Imran Ansari for being accomplice in the crime.

4. The learned counsel for the petitioner submits



that the petitioner is innocent and has been falsely implicated in this case. Nothing incriminating has been recovered from the possession of the petitioner and except for confessional statement of co-accused, no material has been collected by the police against this petitioner. It is further submitted that the petitioner resides in Punjab to earn his livelihood as he has been working as a labourer. The petitioner is having clean antecedent.

5. Learned APP opposes the submission made on behalf of the petitioner and submits that the petitioner was instrumental in directing the other co-accused persons for committing crime.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the remoteness of allegation and lack of substantive material against the petitioner, let the petitioner above named, in the event of arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of ₹10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned District & Sessions Judge-II, Rosera, Samastipur/concerned court in connection with Rosera P.S. Case No. 265 of 2019, subject to the condition as laid down under



Section 438(2) of the Code of Criminal Procedure and other
following conditions :

- (i) One of the bailors will be a close
relative of the petitioner.
- (ii) The petitioner will remain present
on each and every date fixed by the
court below, if so required by the
learned trial court.

(Arun Kumar Jha, J)

Amrendra/-

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