

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7391 of 2025

Arising Out of PS. Case No.-874 Year-2022 Thana- TURKAULIYA District- East
Champaran

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Chandra Kishore Sah S/o Rama Sah, R/o Village.- Phulwariya, P.S.- Sugauli,
District- East Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Yadav, Advocate

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

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 02-05-2025 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Turkauliya P.S. Case No. 874 of 2022, dated
05.09.2022, in a case registered for the offence punishable under
Section 392 of the Indian Penal Code.

3. As per the prosecution case, while the informant
was driving the truck loaded with biscuits from Raxaul to
Kolkata, four unknown assailants intercepted the informant's
truck by their truck near Chhapwa road and took control of the
informant's truck and drove both the trucks to a bypass road and
forcefully took the informant to a field and tied his hands, feet
and mouth and looted the loaded items kept in informant's truck



and also took Rs. 7,000/- in cash from the cabin of the informant's truck.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is not named in the FIR and name of the petitioner has surfaced on the basis of the confessional statement of co-accused, Surrendra Ram, who was apprehended by police. No stolen goods, cash or any incriminating material has been recovered from the conscious possession of the petitioner. The similarly situated co-accused person namely, Roshan Kumar Singh has been granted regular bail by this Court *vide* order dated 03.08.2023 passed in Cr. Misc. No. 47110 of 2023. The petitioner has one criminal antecedent of similar nature and he is on bail in the pending matter as stated in paragraph no. 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, let the petitioner, above named, in the event of his arrest / surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail bond of Rs. 20,000/- (Rupees twenty thousand only) with two sureties



of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, East Champaran, Motihari in connection with **Turkauliya P.S. Case No. 874 of 2022**, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure, on further condition:

(I) The petitioner is directed to remain physically present before the learned trial Court on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.

(II) The petitioner is directed to cooperate in the trial before the learned trial Court.

7. The application stands allowed.

(Chandra Prakash Singh, J)

Shahnawaz/-

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