

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5759 of 2025

Arising Out of PS. Case No.-309 Year-2024 Thana- SAHARSA SADAR District- Saharsa

Suman Kumar @ Suman Sah @ Suman Bajrangi S/o Shankar Sah Resident of
village - Kahra, P.S. - Saharsa, Distt.- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Rashmi Jha, Advocate

For the Opposite Party/s : Mr. Syed Ehteshamuddin, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 12-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. In this present case, the petitioner seeks bail in connection with Saharsa Sadar P.S. Case No. 309 of 2024 registered for the offences under Sections 399, 402 and 414 of the Indian Penal Code and Sections 25(1-b)a, 26 and 35 of the Arms Act.

3. As per prosecution case, information was received about 4-5 armed criminals with their motorcycle planning to commit some crime. A raid was conducted and three co-accused persons were apprehended and petitioner and other co-accused fled away from the spot. From the apprehended co-accused persons, loaded country made *katta* with live cartridges and motorcycle were recovered. Apprehended co-accused persons



disclosed the name of petitioner.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Except for confessional statement of co-accused, there is no material against this petitioner. Nothing incriminating has been recovered from the person or possession of this petitioner. The petitioner has been implicated in this case due to his long criminal history. Another co-accused, namely Ravindra Kumar @ Ravindra Kumar Ravi has been granted bail by a Co-ordinate Bench of this Court vide order dated 24.07.2024 passed in Cr. Misc. No. 50519 of 2024. Petitioner is in custody since 27.05.2024 and charges have been framed. Petitioner is having antecedent of nine cases.

5. Learned A.P.P. opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that petitioner was not apprehended from the spot and no recovery has been shown from this petitioner and also considering the period of custody of the petitioner, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two



sureties of the like amount each to the satisfaction of learned
ADJ-V, Saharsa/concerned court in connection with Saharsa
Sadar P.S. Case No. 309 of 2024, subject to the conditions
mentioned in Section 480(3) of the B.N.S.S. 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.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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