

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5143 of 2025

Arising Out of PS. Case No.-471 Year-2024 Thana- CHIRAIYA District- East Champaran

Sanjog Kumar Son of Ramnath Sahani Resident of village- Badha Bharti, Ps-
Panapur Op, (Minapur), Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kundan Rathore, Advocate

For the Opposite Party/s : Md. Matloob Rab, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

3 19-04-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Chiraiya P.S. Case No. 471 of 2024 registered for the offences punishable under Sections 318(4), 303(2), 112, 61(2) of the BNS, 2023.

3. As per prosecution case, when informant was generating PIN in the ATM, in the meantime, two unknown miscreants entered into the ATM and forcibly took the ATM card from informant and inserted the same into ATM. It is further alleged that on raising alarm by the informant, guard of the ATM alongwith others came upon which both the miscreants tried to escape. However, on chase, petitioner was apprehended and co-accused Golden managed to flee away from the place of



occurrence.

4. Learned counsel for the petitioner submits that, though, the petitioner bears criminal antecedents of three cases but he orally submits that out of three cases, petitioner is not named in FIR in two cases i.e. in Dhaka P.S. Case No. 299 of 2023 and Kotwa P.S. Case No. 257 of 2024. In this way, petitioner has been named in one case after another merely on the basis of suspicion. He further submits that, though, the petitioner is said to have been apprehended on the spot but no incriminating article has been recovered from the possession of the petitioner as only two ATM cards have been recovered from the petitioner in which one ATM card belongs to the petitioner and the other belongs to his friend. Petitioner is quite innocent and has committed no offence as alleged in the FIR. Petitioner is in custody since 19.11.2024. Charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence.

5. The learned A.P.P. for the State opposes the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case, period of custody, charge sheet has been submitted in the case and there is no likelihood of tampering with the



prosecution evidence, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned SDJM, Dhaka / Concern Court, Motihari, East Champaran in connection with Chiraiya P.S. Case No. 471 of 2024, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Alok Kumar Pandey, J)

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