

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4501 of 2025

Arising Out of PS. Case No.-299 Year-2023 Thana- DHAKA District- East Champaran

Sanjog Kumar, Son of Ramnath Sahani, Resident of Village- Badha Bharti,
P.S.- Minapur, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kundan Rathore@ Kundan Kumar, Advocate
For the Opposite Party/s : Mr. Anant Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 31-01-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Dhaka P.S. Case No. 299 of 2023, registered on 07.06.2023 for the alleged offences under Sections 414, 420, 467, 468/34 of the Indian Penal Code and Sections 25(i)(b) (a)/26/35 of the Arms Act.

3. As per prosecution case, police received secret information about nine miscreants coming to Dhaka Bazar on five motorcycles. Thereafter, checking of vehicles was started and on seeing the police party, the miscreants tried to flee away from the spot by turning their motorcycles. Five miscreants were apprehended after chase along with their motorcycles. The petitioner is stated to be one of the miscreants, who fled away



from the spot. Recovery of firearms, ammunition and a number of ATM Cards, mobile etc. were made from the apprehended co-accused persons.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case. The petitioner was not apprehended from the spot and nothing incriminating has been recovered from the person/ possession of the petitioner. Whatever recovery has been shown, it was from the co-accused persons, who were apprehended from the spot. Moreover, the name of the petitioner transpired in this case on the disclosure made by the co-accused before the police, which has got no legal sanctity. The petitioner is having antecedent of three cases. The petitioner is in custody since 02.12.2024.

5. Learned APP vehemently opposes the submission made on behalf of the petitioner submitting that the petitioner is a member of gang committing ATM fraud and other crimes.

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



sureties of the like amount each to the satisfaction of learned S.D.J.M., Dhaka, East Champaran/concerned court in connection with Dhaka P.S. Case No. 299 of 2023, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the 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 bonds of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

V.K.Pandey/-

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