

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18366 of 2025

Arising Out of PS. Case No.-56 Year-2024 Thana- BISHANPUR District- Darbhanga

1. Vivek Kumar @ Chunnu Thakur S/o- Kamaldeo Thakur Both resident of village- Godhaila PS- Bishanpur District- Darbhanga
2. Chhotkan Raut @ Chhotkun Raut S/o- Dinesh Raut Both resident of village- Godhaila PS- Bishanpur District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Jha, Advocate
For the Opposite Party/s : Mr. Anant Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 16-05-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. In this present case, the petitioners seek bail in connection with Bisanpur P.S. Case No. 56 of 2024 registered on 18.05.2024 for the offences under Section 394 of the Indian Penal Code and Sections 25(1-B)(a), 26 and 35 of the Arms Act.

3. As per prosecution case, three motorcycle-borne miscreants followed the motorcycle of the informant, a CSP operator, who has been carrying Rs. 5,95,275/- in a bag. The miscreants dashed the motorcycle of the informant who fell down and threatening the informant with gun, they snatched the bag and fled away with it. The informant somehow informed his father who with the help of co-villagers blocked the road taken by the



miscreants. Two of the miscreants were apprehended by the public and one fled away with the bag containing the money. Name of the petitioners transpired during investigation for also being involved in the robbery.

4. Learned counsel appearing on behalf of the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. There is no specific allegation against the petitioners for any wrongful act and no overt act has been attributed to the petitioners. The name of the petitioners transpired in this case on the basis of confessional statement of co-accused Julam Kumar Sada. Save and except for the confessional statement, there is no material against the petitioners. Though recovery of Rs. 65,000/- and Rs. 64,000/- has been shown from the petitioners but the occurrence took place on 18.05.2024 and the petitioners were apprehended on 23.12.2024 and it is not believable that the looted money would be kept by the petitioners after such long time. Further no Test Identification Parade has been carried out with regard to the recovered money. Learned counsel further submits that petitioner no.1 has saved the money for marriage of his sister whereas petitioner no.2 has kept the money for treatment of his father and it was not the looted money. The petitioners are in custody since 23.12.2024 and charge-sheet has been submitted.



Petitioners are having clean antecedent.

5. Learned A.P.P. appearing on behalf of State opposes the submission made on behalf of the petitioners. Learned APP submits that recovery of looted money was made from the petitioners and they do not deserve bail.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the clean antecedent of the petitioners along with their period of custody and submission of charge-sheet, the petitioners above named are directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-9, Darbhanga/concerned court in connection with Bisanpur P.S. Case No. 56 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 petitioners.
- (ii) The petitioners 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
petitioners will be liable to be cancelled by
the court concerned.

(Arun Kumar Jha, J)

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