

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26458 of 2025

Arising Out of PS. Case No.-53 Year-2023 Thana- SUGAULI District- East Champaran

Santosh Kumar S/o Ratan Mahto Resident of Village- Siswa, Ajagari, P.S-
Banjariya, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjana Srivastava, Advocate

For the Opposite Party/s : Mr. Prem Kumar Jha, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 05-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Sugauli
P.S. Case No. 53 of 2023 instituted for the offences under
Section 394 of the Indian Penal Code.

3. Prosecution case, in short, is that, four accused
persons boarded on two motorcycles came at petrol pump and
on the point of pistol, robbed Rs. 35,000/- and mobile phone
from the informant.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case.
Petitioner is not named in the F.I.R. The name of the petitioner
transpired in this case on the basis of confessional statement of
the co-accused Guddu Sahani. No incriminating article has been
recovered from the conscious possession of the petitioner.



Learned counsel further submitted that petitioner has got no concern with the looted articles. There is no compliance of Section 103 of the BNSS. It has been submitted on behalf of the petitioner that the petitioner is in custody since 22.01.2025 and has two criminal antecedents. The co-accused person has already been granted bail by this Court vide order dated 18.03.2024 passed in Cr. Misc. No. 19711 of 2024.

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

6. Considering the aforesaid facts and circumstances of the case, claim based on parity as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner 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 Court below/concerned Court in connection with Sugauli P.S. Case No. 53 of 2023.

(Rudra Prakash Mishra, J)

Alok Verma/-

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