

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36024 of 2025

Arising Out of PS. Case No.-111 Year-2022 Thana- PIPRAKOTHI District- East Champaran

Dhiru Sahani S/o Late Ragho Sahani @ Radho Sahani R/o Village- Bhatahan,
P.S.- Muffasil, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Adarsh Ranjan, Advocate

For the Opposite Party/s : Mrs. Sharda Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 30-06-2025 Heard Mr. Adarsh Ranjan, learned counsel for the
petitioner and Mrs. Sharda Kumari, learned APP for the State.

2. Petitioner seeks bail, who is in custody since 22.07.2022, in connection with Pipra Kothi P.S. Case No. 111 of 2022, F.I.R. dated 19.04.2022 registered for the offences punishable under Section 395 of the Indian Penal Code and Section 27 of the Arms Act.

3. The F.I.R. of the occurrence of loot is against unknown.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in the present case. He further submits that the petitioner is not named in the F.I.R. and the name of the petitioner has been transpired during investigation on the basis of confessional statement of



co-accused person, namely, Md. Sohrab Alam and said Md. Sohrab Alam has confessed his guilt and apart from that he has disclosed the name of co-accused person and the petitioner. Learned counsel for the petitioner submits that till date no test identification parade has been conducted by the prosecution and apart from that, the petitioner has also self confessed his guilt which was recorded in Motihari Muffasil P.S. Case No. 260 of 2022. He further submits that co-accused person, namely, Jhuna Kumar @ Jhuna Sahani @ Jhunna Kumar has been granted bail by a Coordinate Bench of this Hon'ble Court vide order dated 20.03.2023 passed in Cr. Misc. No. 72502 of 2022, another co-accused person namely Md. Shohrab Alam @ Md. Sohrab Alam who has disclosed the name of the petitioner has been granted bail by a Coordinate Bench of this Hon'ble Court vide order dated 06.04.2023 passed in Cr. Misc. No. 3029 of 2023, another co-accused person, namely, Vivek Singh has been granted bail by this Court vide order dated 06.04.2023 passed in Cr. Misc. No. 71931 of 2022 respectively. He further submits that the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 22.07.2022.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the



petitioner and submits that the petitioner carries one more case other than the present one.

6. Considering the facts and circumstances of the case and the fact that the petitioner is not named in the F.I.R. and the name of the petitioner has been transpired during investigation on the basis of confessional statement of co-accused person and some of the accused persons have been granted bail by this Court or by a Coordinate Bench of this Hon'ble Court as well as period of custody, 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 Chief Judicial Magistrate, East Champaran, Motihari in connection with Pipra Kothi P.S. Case No. 111 of 2022, subject to the following conditions :-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

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



(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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