

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45916 of 2025

Arising Out of PS. Case No.-319 Year-2017 Thana- MOTIHARI MUFASIL District- East
Champaran

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Awadhesh Sahani S/O Ramashish Sahani Village- Majhariya Sheikh, P.S-
Majhauriya, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Natraj Verma, Advocate

For the Opposite Party/s : Mrs. Madhuri Lata, APP

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

ORAL ORDER

2 24-07-2025 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner seeks bail in connection with

Motihari Mufassil P.S. Case No. 319 of 2017, instituted for the

offences punishable under Section 392 of the Indian Penal

Code.

3. The prosecution case, in short, is that two unknown

miscreants intercepted the informant and looted him of Rs.

27,084/- along with several documents.

4. Learned counsel for the petitioner submits that the

petitioner is innocent and has falsely been implicated in the

present case. No incriminating material has been recovered from



the conscious possession of the petitioner. Learned counsel for the petitioner also submits that the petitioner is not named in the FIR. Name of the petitioner has transpired in this case on the basis of confessional statement made by co-accused person and the same has got no evidentiary value. It is further submitted that neither any recovery of looted article has been made from the possession of the petitioner nor any T.I. parade has been conducted in this case. The petitioner is in custody since 09.03.2025 and has got one criminal antecedent in which he is on bail. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted regular bail by a Co-ordinate Bench of this Court vide order dated 19.06.2023 passed in Cr. Misc. No. 71896 of 2022.

5. Learned APP 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 and taking into account 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court



below/concerned Court in connection with Motihari Mufassil
P.S. Case No. 319 of 2017.

(Rudra Prakash Mishra, J)

Rajorshi/-

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