

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40744 of 2025

Arising Out of PS. Case No.-60 Year-2025 Thana- KHAIRA District- Saran

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Sagar Soni @ Sagar Kumar Soni, aged about 24 years, Gender-Male, Son of
Ajay Kumar Soni, Resident of Mohalla - Katharibag, P.S.- Chapra Nagar,
District- Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Satya Prakash Parasar, Advocate
For the Opposite Party/s : Mr. Shailendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER

3 20-08-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Khaira
P.S. Case No. 60 of 2025 instituted for the offences punishable
under Section 309(4) of the B.N.S.

3. As per the prosecution case, two miscreants
intercepted by a bullet motorcycle, on the gun point snatched
the gold Mangalsutra and Rs. 5,000/- cash from the informant.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence and has
falsely been implicated in this case. He submits that petitioner
has been made accused only on the basis of confessional
statement of co-accused namely Rupesh Kumar. He further
submits that save and except confession neither any



incriminating articles have been recovered from the conscious possession of the petitioner during course of investigation nor any incriminating material has been recovered either from the constructive possession. Petitioner is in custody since 09.05.2025.

5. Learned APP opposes the prayer for bail.

6. From perusal of the FIR, case diary and impugned order of the learned Sessions Judge, Saran at Chapra dated 03.06.2025, It appears that on the basis of written report of the informant namely Sugga Devi, FIR has been registered under Section 309(4) of the B.N.S. against unknown persons. During investigation one co-accused Rupesh Kumar has been arrested by the police and after his confession the petitioner has been arrested in this case but no recovery has been made from the conscious possession of the petitioner. Chargesheet has already been submitted in this case as stated by learned counsel for the petitioner and investigation is already concluded but from perusal of the case diary no Test Identification Parade has been conducted till date, so considering all these aspects of the matter and submission of learned counsel for the parties, I am inclined to grant bail to the petitioner.

7. Accordingly, the prayer for bail of the petitioner is



allowed. Let the petitioner above named 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 the learned Judicial Magistrate-1st, Class Saran at Chapra in connection with Khaira P.S. Case No. 60 of 2025, subject to the condition that the petitioner shall remain physically present on each and every date before the Trial Court till conclusion of the trial.

(Ramesh Chand Malviya, J)

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