

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66591 of 2024

Arising Out of PS. Case No.-73 Year-2023 Thana- KHUTAUNA District- Madhubani

Krishna Kumar Sah @ Krishna Sah, Male, aged about 20 years, Son of Vijay Kumar Sah @ Bijay Sahu, Resident of Village - Kilapatti Varhi, P.S. - Phulparas, District – Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar, Advocate

For the Opposite Party/s : Mr. Ganesh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

2 18-01-2025 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Khutauna P.S. Case No. 73 of 2023 instituted for the offences punishable under Section 394 of the Indian Penal Code.

3. As per the prosecution case, all the accused persons assaulted the informant with *lathi Danda* and snatch Rs. 10,000/- including two mobile, one fingerprint machine, two printer (HP and Canaan) and other articles.

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 further submits that the petitioner is not named in the FIR and nothing incriminating



articles have been recovered from the conscious possession of the petitioner. He next submits that the name of the petitioner has been surfaced in this case only on the basis of confessional statement of co-accused Ankit Kumar Jha. Petitioner is in custody since 20.06.2024 having no criminal antecedent as stated in para 3 of the petition.

5. Learned APP opposes the prayer for bail.

6. From perusal of the FIR and also perused the impugned order dated 03.08.2024 passed by the learned Additional Sessions Judge-III, Jhanjharpur, Madhubani, it appears that on the written report of the informant Prabhat Kumar, FIR has been lodged under Section 394 of the Indian Penal Code against four unknown persons. During investigation on the basis of confessional statement of co-accused person namely Ankit Kumar Jha and self confessional statement of the petitioner before the police he has been made accused in this case. It is alleged that some looted property has been recovered from the house of the present petitioner and police after conclusion of the investigation submitted chargesheet under Sections 394 and 411 of the Indian Penal Code against co-accused persons including the present petitioner, so considering all these aspects of the matter, I am



not inclined to grant bail to the petitioner.

7. Prayer for regular bail of the petitioner is hereby rejected.

8. However, the petitioner may renew his prayer for bail if the period of custody is completed in one year.

(Ramesh Chand Malviya, J)

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