

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78214 of 2024

Arising Out of PS. Case No.-195 Year-2024 Thana- MADHUBAN District- East Champaran

Arun Kumar @ Arun Kumar Sahni S/o Sitaram Sahni Resident of village -
Nankar Jugauliya P.S- Madhuban, Dist.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Syed Mojibur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

4 14-02-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Madhuban P.S. Case No. 195 of 2024 registered for the alleged offences under Section 392 of the Indian Penal Code and Sections 25(1-b)a, 26, 35 of the Arms Act.

3. As per prosecution case, two persons hired the e-rickshaw of the informant and at a deserted place, a person on a motorcycle reached there and they looted the e-rickshaw and Rs.800/- in cash of the informant on gunpoint. The name of the petitioner transpired during investigation for also being involved in the robbery.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case, on the basis of confessional statement of the petitioner though recovery of one country made pistol loaded with one live cartridge was shown from the petitioner. Learned counsel further submits that nothing incriminating has been recovered from the person or possession of the petitioner and he was not put to any Test Identification Parade. The confessional statement of the petitioner has got no legal sanctity. The petitioner is in custody since 17.05.2024 and charge sheet has been submitted. The petitioner is having antecedent of one case in which he is on bail.

5. Learned APP opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the submission of charge sheet and period of custody of the petitioner, the petitioner above named is directed to 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 learned Judicial Magistrate, Ist Class, East Champaran, Motihari /concerned Court in connection with Madhuban P.S. Case No.



195 of 2024, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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