

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90096 of 2024

Arising Out of PS. Case No.-349 Year-2024 Thana- BANMANKHI District- Purnia

Niraj Sah @ Niraj Kumar @ Golu Son of Mantoo Sah Resident of Village-
Dharhara Romtola, Ward No.08, P.S.- Banmakhi, Distt.- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shivnandan Sah, Advocate

For the Opposite Party/s : Mr. Anish Chandra, APP

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

ORAL ORDER

2 20-01-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Banmankhi P.S. Case No. 349 of 2024 instituted for the offences
under Sections 309(6) of the Bharatiya Nyaya Sanhita, 2023.

3. Prosecution case, in short, is that four unknown
miscreants assaulted the informant and her husband with lathi,
iron rod, bamboo and looted Rs. 7,000/-, mobile phone and
silver anklet, silver pendent chain and fled away.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case.
Petitioner is not named in the F.I.R. The name of the petitioner
transpired in this case on the basis of confessional statement
made by the co-accused Chandan Kumar. No incriminating
article has been recovered from the conscious possession of the



petitioner. Learned counsel further submitted that petitioner has got no concern with the SIM card which is alleged to have been recovered from the petitioner. Learned counsel further submitted that the other co-accused persons have already been granted bail by the learned court below itself. It has been submitted on behalf of the petitioner that the petitioner is in custody since 15.09.2024 and has no criminal antecedent.

5. Learned A.P.P. 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 as also 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/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Banmankhi P.S. Case No. 349 of 2024.

(Rudra Prakash Mishra, J)

Alok Verma/-

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