

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.302 of 2025

Arising Out of PS. Case No.-268 Year-2024 Thana- DUMARIAGHAT District- East
Champaran

=====

Sunil Sah @ Sunil Prasad @ Sunil Prasad Sah S/O Banarsi Sah Resident of
village - Semra Tola, Parshurampur, Ward No- 01, P.S- Turkauliya, District -
East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

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

For the Opposite Party/s : Mr. Lalan Kumar, APP

=====

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 05-02-2025 Heard Mr. Karandeep Kumar, learned counsel for the
petitioner and Mr. Lalan Kumar, learned APP for the State.

2. Petitioner seeks bail, who is in custody since
04.11.2024, in connection with Dumariyaghat P.S. Case No. 268 of
2024, F.I.R. dated 02.11.2024 registered for the offences
punishable under Sections 310(2) of Bharatiya Nyaya Sanhita,
2023.

3. Allegation against the petitioner is that he along
with co-accused person looted the green chilli along with vehicle
and taken away towards Kesariya side along with the informant
and pillion rider and later on they released them near the area of
Kesariya.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in the



present case. He further submits that the petitioner is not named in the F.I.R. and the name of the petitioner has been transpired during investigation on the basis of the confessional statement of co-accused person namely Mohamad Harun Akhtar Ansari and except the aforesaid, no other cogent material has come during investigation to suggest the involvement of the petitioner in the present occurrence. He further submits that nothing has been recovered from the conscious possession or the house of the petitioner and apart from that till date no test identification parade was conducted by the prosecution. He further submits that the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 04.11.2024.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner has confessed his guilt in the present occurrence and apart from that the petitioner carries three more cases other than the present one but fairly submits on the basis of paragraph-3 of the bail petition that the petitioner is on bail in the pending matters.

6. Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate First Class, East Champaran at Motihari in



connection with Dumariyaghat P.S. Case No. 268 of 2024, subject to the following conditions :-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

Ibrar//-

U		T	
---	--	---	--

