

Sachin Kumar vs The State Of Bihar on 22 March, 2025

Author: Chandra Shekhar Jha

Bench: Chandra Shekhar Jha

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1872 of 2025
Arising Out of PS. Case No.-383 Year-2024 Thana- GHORASAHAN District
Champanan
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Sachin Kumar, S/o Ram Swarup Rai @ Ramsarup Rai, resident of Village -
Kadamwa Yadav Tola, P.S. - Ghorasahan, District - East Champaran

Versus

The State of Bihar

... .. Opposite Party

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Appearance :
For the Petitioner/s : Mr. Ashok Kumar, Advocate
For the Opposite Party/s : Mr. Anant Kumar 1, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 22-03-2025

Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. The accused/petitioner seeks bail in connection with Ghorasahan P.S. Case No.383 of 2024 registered for the offences punishable under Sections 310(4), 310(5), 112 of the Bhartiya Nyaya Sanhita, 2023 (in short 'BNS') as well as Sections 25(1-B)a, 26 and 35 of the Arms Act.

3. The accused/petitioner is named in the FIR and is in custody since 28.09.2024.

4. Allegation against the petitioner is to involve in preparation for dacoity along with other co-accused persons, where petitioner was apprehended during said preparation Patna High Court CR. MISC. No.1872 of 2025(3) dt.22-03-2025 with co-accused persons from whom a country-made pistol was alleged to be recovered.

5. It is submitted by learned counsel appearing for petitioner that the co-accused from whom a country-made firearm was recovered was granted bail by learned trial court itself. It is submitted that the petitioner is man of clean antecedent and nothing incriminating recovered from him so as to suggest on its face that he was preparing for dacoity. While concluding argument, it is submitted that investigation of this case is already completed, for which, charge-sheet has been submitted and, as such, there is no chances of tampering with the evidence.

6. Learned APP opposes the prayer for grant of bail to the petitioner.

7. In view of aforesaid factual submissions, as no incriminating material recovered from the possession of this petitioner, which may prima facie suggest qua involvement of petitioner with preparation for dacoity, coupled with the fact that petitioner is a man of clean antecedent, where investigation of this case is already completed, where this Patna High Court CR. MISC. No.1872 of 2025(3) dt.22-03-2025 petitioner is in custody since 28.09.2024, accordingly, the petitioner, above-named, is directed to be released on bail furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-III, Sikrahana at Dhaka, East Champaran, Motihari in connection with Ghorasahan P.S. Case No.383 of 2024, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure (for short 'CrPC')/under Section 480(3) of the Bhartiya Nagrik Suraksha Sanhita (for short 'BNSS').

(Chandra Shekhar Jha, J.) Sanjeet/-

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