

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28812 of 2021

Arising Out of PS. Case No.-1488 Year-2019 Thana- NAWADA District- Nawada

=====

Aman Kumar S/o Sujit Chandrabanshi @ Sujay Singh Resident of Village/
Mohalla- Koniypar, P.S. and District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Krishna Deo Raj

For the Opposite Party/s : Mr.Md. Matloob Rab

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 10-08-2021 At the outset, learned counsel for the petitioner submits that a typographical error has occurred in paragraph – 1 of the petition. Instead of offence under Sections **395**, 397 of IPC, it has wrongly been typed as Sections **396**, 397 of IPC and as such, he requests to make correction in paragraph -1 of the petition to the above extent.

Permission is accorded. It may be done within a period of two weeks from today.

Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Nawada Town P.S. Case No. 1488 of 2019, corresponding to S.Tr. No. 95 of 2020 registered for the offence under Sections 395/397 of the Indian Penal Code.



As per the prosecution case, 5-6 unknown persons assaulted the informant on his head with iron rod, lathi and danda and snatched a sum of Rs. 40,000/-, mobile phone, gold chain and other important documents and thereafter, fled away.

Petitioner is not named in the FIR. Name of the petitioner has come on the basis of confessional statement of co-accused Shera Kumar Manjhi and Rahul Kumar. Co-accused Shera Kumar Manjhi has already been granted bail by a coordinate Bench of this Court, vide order dated 24.11.2020 passed in Cr.Misc. No. 30280 of 2020. Till date, petitioner has not been put on Test Identification Parade. However, during course of investigation, though it is alleged that mobile of the informant was recovered from the house of petitioner, but the petitioner disputes the same and states that same (mobile) has neither been put on T.I.P. nor identified by the informant. Petitioner is in custody since 21.01.2020.

Learned A.P.P. for the State has opposed the bail petition.

Considering the aforesaid facts and circumstances as well as period of custody, the bail petition of petitioner is allowed. Let the above named petitioner be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two



sureties of the like amount each to the satisfaction of learned
A.D.J.-III, Nawada in connection with Nawada Town P.S. Case
No. 1488 of 2019, corresponding to Sessions Trial No. 95 of
2020, on the following conditions:

“(1) Petitioner shall cooperate in the trial
and shall be properly represented on each and
every date fixed by the court below and shall
remain physically present, as directed by the
court below, 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 witnesses, in that case, the
prosecution will be at liberty to move for
cancellation of bail.”

(Prabhat Kumar Singh, J.)

anay

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

