

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33394 of 2021**

Arising Out of PS. Case No.-155 Year-2020 Thana- KARJA District- Muzaffarpur

Manish Kumar S/O Umesh Sahani @ Bhuthar R/O Village- Bangara
Chaupan, P.S.- Kanti, District- Muzaffarpur.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Sinha, Advocate

For the Opposite Party/s : Mr.Md. Matloob Rab, Addl Public Prosecutor

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 03-09-2021 Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in Karja P.S. Case No.155 of
2020 registered under Section 395 of the Indian Penal Code.

As per the prosecution case, five unknown persons came
on two motorcycles. One of them took petrol of Rs.150/- but
thereafter one person on the point of pistol assaulted the
informant and his companion Nozal man and snatched
Rs.21,479/- from the pocket of the informant and Rs.11,367/-
from the pocket of Sanjay Kumar, another Nozal man. They
also snatched the mobile of Nozal man and fled away towards
Marwan.

Learned counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in this case. Petitioner's name has figured during course of investigation in confessional statement of co-accused Babulal Kumar. No incriminating material has been recovered from the conscious possession of the petitioner. Test Identification Parade has not been carried out till date. He is in custody since 8.9.2020. Investigation is complete. Similarly situated co-accused has already been allowed bail by a co-ordinate bench of this Court vide order passed in Cr.Misc.No. 34988/2020.

Considering the facts and circumstances of the case, Let the petitioner, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate V West Muzaffarpur in Karja Police Station Case No. 155 of 2020 on 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/her absence on two consecutive dates without sufficient reason, his/her 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)

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