

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15252 of 2021

Arising Out of PS. Case No.-54 Year-2018 Thana- SAHAR District- Bhojpur

Rabindra Manjhi @ Rabindra Mushar S/O Bale Manjhi R/O Village-
Panchloa, P.S-Eslampur, District-Nalanda (BIHAR).

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Malti Kumari

For the Opposite Party/s : Mr. Sanjay Kumar Tiwari

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 17-08-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual court proceeding.

Learned counsel for the petitioner undertakes to remove the defects within four weeks of resumption of normal court proceeding. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioner seeks bail in connection with Sahar P.S. Case No. 54 of 2018 corresponding to G.R. No. 1022 of 2018 registered for the offence punishable under Section 392 of the Indian Penal Code and Sections 25(1-b)a/26/35 of the Arms Act.

Allegation against the petitioner is that petitioner along with one other co-accused person on the point of gun snatched mobile phone and Rs. 500/- from the informant while the



informant, who was a truck driver proceeded towards Sasaram on his truck loaded with iron rod. It is alleged that petitioner and other co-accused assaulted the informant with butt of the pistol and gave threatening to kill. They were apprehended by the police and on search two live cartridges were recovered from the possession of the petitioner.

It is submitted by learned counsel for the petitioner that petitioner has falsely been implicated in this case and has not committed any offence as alleged in the FIR. No such occurrence as alleged ever took place. He submits that during the course of investigation no independent witness has supported the prosecution case. He further submits that similarly situated co-accused *Mantu Kumar* has already been granted privilege of regular bail *vide* order dated 11.10.2018 in Cr. Misc. No. 60600 of 2018. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. The petitioner has no criminal antecedent as has been mentioned in para 3 of this bail petition and has been languishing in custody since 14.03.2018.

Learned APP for the State opposed the bail petition.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail, on furnishing bail



bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor Court in connection with Sahar P.S. Case No. 54 of 2018, G.R. No. 1022/18.

(Anjani Kumar Sharan, J)

GAURAV S./-

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