

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.2812 of 2022**

Arising Out of PS. Case No.-102 Year-2020 Thana- ALOULI District- Khagaria

Ajay Mukhiya @ Ajay Kumar Son of Japan Mukhiya R/O Village- Sardehi,  
P.S.- Alauli, District- Khagariya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Abhay Shankar Singh, Advocate  
For the Opposite Party/s : Mr.Md. Mushtaque Alam, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA**  
**ORAL ORDER**

3      06-09-2022                      Heard learned counsel appearing on behalf of the  
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period of  
four weeks from today.

The petitioner seeks bail in connection with Alauli P.S.  
Case No. 102 of 2020 registered for the offence under Section 392 of  
the Indian Penal Code and under Section 27 of the Arms Act, in  
which subsequently 395 of the I.P.C. was added.

The accused/petitioner is not named in the F.I.R. and is in  
custody since 30.06.2020.

The allegation against the petitioner is to robbery and  
while committing so taken away bag of the informant having cash of  
Rs. 4,00,000/-.

Learned counsel appearing on behalf of the petitioner  
submitted that the name of petitioner surfaced on the basis of secret



input of police and subsequent of that the petitioner remanded in present case from Darbhanga P.S. Case No. 78 of 2020. It is submitted that in furtherance of self-confession, no incriminating material surfaced/recovered during the course of investigation to connect the petitioner, *prima facie*, with present set of robbery. It is submitted that the name of petitioner was surfaced in this case only for the reason that as he found involved in 11 more criminal cases, where name of petitioner mostly, surfaced on the basis of confession/self-confession as of the present case. While concluding the argument, it has been submitted that investigation has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, while opposing the prayer of bail, fairly conceded that the petitioner is not named in F.I.R.

Considering the facts and circumstances as mentioned above, as nothing incriminating surfaced to connect the petitioner with present set of robbery coupled with the fact that charge-sheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Alauli P.S. Case No. 102 of 2020 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-IV, Khagaria/concerned court, subject to the following conditions:

“(i) *Accused/Petitioner shall*



*cooperate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court, only on medical ground of the petitioner duly supported by the documents.*

*(ii) That one of the bailors shall be Vinita Devi, who is the wife of the petitioner and deponent of the present bail petition.”*

**(Chandra Shekhar Jha, J)**

pooja/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

