

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4553 of 2022

Arising Out of PS. Case No.-316 Year-2021 Thana- BARUN District- Aurangabad

Mandal Banjara S/o Harichandra Banzara Resident of Village- Naya Tola,
Jurabganj, P.S.- Korha, District- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bachan Jee Ojha, Advocate

For the Opposite Party/s : Mr. Dr. Indihar Kumari, App

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 06-06-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Barun P.S. Case No. 316 of 2021 instituted for the offences
under Sections 467, 468, 420, 414, 120(B) of the Indian Penal
Code read with Sections 25 (1-b)a, 26, 35 of the Arms Act.

Learned counsel for the petitioner submits that the
petitioner is in custody since 19.09.2021, charge-sheet has been
submitted in the case and has antecedent of five cases.

Learned counsel for the petitioner submits that the
allegation in the FIR is that on 18.09.2021 during the course of
patrolling by the police party it got an information about the
snatching of money from a lady. Thereafter, police started to
search and in course of search three persons were arrested. It is



further stated that from the body search, Rs. 49,000 /- from the possession of the petitioner along with mobile and one country made loaded pistol from another accused persons namely Vishal with mobile and a master key, mobile and Aadhaar Card of one Mahesh Yadav were recovered from the possession of Avinash Kumar and thereafter seizer lists were prepared. It is also mentioned that two motorcycles were found stolen motorcycle.

Learned counsel for the petitioner further submits that the petitioner is an innocent and has been falsely implicated in this case. The actual fact is that the amount which was recovered from the petitioner belongs to the petitioner itself and he was going to Sonanagar railway station for catching train through the motor-bike of his friend namely Avinash Kumar but in the way, the petitioner was arrested. It is further submitted that no illegal arms was recovered from the possession of the petitioner nor any incriminating articles has been recovered.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner.

Considering the fact that the petitioner is in custody since 19.09.2021, charge-sheet has been submitted in the case and the petitioner is a person with clean antecedent, let the petitioner above named be released on bail on furnishing bail



bond of Rs. 10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned CJM, Aurangabad in connection with Barun P.S. Case No. 316 of 2021.

(Khatim Reza, J)

Gaurav Kumar/-

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