

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4382 of 2022

Arising Out of PS. Case No.-86 Year-2021 Thana- SARSI District- Purnia

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Anoj Kumar, Son Of Late Sukhram Yadav, R/O Village- Hanuman Nagar,
P.S.- Banmankhi, District- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar, Advocate
For the Opposite Party/s : Mr. Nagendra Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 16-11-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect (s), as pointed out by the office, be
removed within a period of four weeks.

In the present case, the petitioner seeks bail in
connection with Sarsi P.S. Case No. 86 of 2021 registered for
the alleged offences under Sections 392 of the Indian Penal
Code.

As per prosecution case, the F.I.R. named co-accused
persons along with one unknown miscreant took away Rs.
1,50,000/- and other documents from the informant after
assaulting him. The three miscreants were chased by the
villagers and two accused persons were apprehended. Third
miscreant fled away from the spot. The petitioner who has been



working as co-staff with the informant was later on found to have worked as liner in this case, who helped the other co-accused persons in committing robbery.

The learned counsel for the petitioner submits that the petitioner is not named in the F.I.R. and nothing incriminating has been recovered from his person or possession. The name of petitioner came up in confessional statement of co-accused namely Raghunandan Kumar @ Raghunandan Yadav and this co-accused has been granted bail by a Co-ordinate Bench of this Court vide order dated 17.05.2022 passed in Criminal Misc. No. 68908 of 2021. Co-accused Raghunandan Yadav was apprehended from the spot. Learned counsel further submits that except for suspicion there is nothing against the petitioner. The petitioner is in custody since 07.08.2021 and charge-sheet has been submitted in this case. The petitioner is having clean antecedent.

Learned APP opposes the prayer for bail submitting that the petitioner is an insider who worked as a liner and due to his active help, the co-accused persons were able to commit robbery and looted the money and other articles from the informant.

Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the



period of the custody of the petitioner and submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Purnea in connection with Sarsi P.S. Case No. 86 of 2021, subject to the conditions mentioned in Section 437(3) of the Cr.P.C. and the following conditions:

- (i) One of the bailors will be close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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