

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8571 of 2022

Arising Out of PS. Case No.-86 Year-2021 Thana- GOPALPUR District- Patna

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MANTU KUMAR SON OF ABHIMANU RAI RESIDENT OF VILLAGE-
NAKTA TOLA NAKTA DIARA, P.S.- DIGHA, DISTRICT- PATNA.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bishwajeet Kumar, Advocate

For the Opposite Party/s : Mr. Ajay Kumar Jha, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 29-06-2022 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 Gopalpur,
P.S. (District-Patna) Case No. 86 of 2021 registered for the
offence under Section 392 of the Indian Penal Code.

The accused/petitioner is not named in the F.I.R. and
is in custody since 10.04.2021.

The allegation against the petitioner is to commit
robbery and while committing so taken away one mobile and
motorcycle of the informant.

Learned counsel appearing on behalf of the petitioner
submitted that the name of the petitioner surfaced during course



of the investigation and nothing incriminating recovered from conscious physical possession of the petitioner, which may connect the petitioner with the present occurrence. It has further been submitted that similarly situated co-accused has already been granted bail by one of the learned co-ordinate Bench of this Court vide order dated 09.05.2022 in Cr. Misc. No. 57513 of 2021. It has further been submitted that the petitioner is involved in two other criminal cases and in both the cases, he is on bail. While concluding the argument, it has further been submitted that charge-sheet has already been submitted in this case, as such, there is no chance of tampering with the evidence.

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

Considering the facts and circumstances as mentioned above, as nothing incriminating has surfaced during course of investigation, which may connect the petitioner with the present occurrence coupled with the fact that charge-sheet has already been submitted in this case, let the petitioner, above named, is directed to be released on bail in connection with Gopalpur, P.S. (District-Patna) Case No. 86 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief



Judicial Magistrate-cum-Sub Judge-IX at Civil Court, Patna,
subject to the following conditions:

“(i) That petitioner shall not involve in the similar nature of offence till the conclusion of trial, failing which, the State shall be at liberty to move before the Trial Court itself for the cancellation of bail bond of the petitioner.

(ii) 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.

(iii) That one of the bailors shall be Rajiv Kumar, who is the Elder brother of the petitioner and deponent of the present bail petition.”

(Chandra Shekhar Jha, J)

S.Katyayan/
R.S.Sen-

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