

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.6908 of 2022**

Arising Out of PS. Case No.-301 Year-2021 Thana- KOCHADHAMAN District- Kishanganj

Manirul @ Md Manir @ Manirul Haque Son Of Late Mithu Ali R/O Village-  
Bagalbari Ward No.11, P.S.- Kochadhaman, District- Kishanganj

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

**Appearance :**

|                          |   |                               |
|--------------------------|---|-------------------------------|
| For the Petitioner/s     | : | Mr.Amal Kumar Sinha, Advocate |
| For the Opposite Party/s | : | Mr.Jitendra Kumar Singh, APP  |

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

3      29-09-2022                      Heard learned counsel appearing on behalf of the pe-  
titioner 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 Kochad-  
haman P.S. Case No. 301 of 2021 registered for the offence un-  
der Section 392 of the Indian Penal Code.

The accused/petitioner is not named in the F.I.R. and  
is in custody since 08.11.2021.

The allegation against the petitioner is to commit rob-  
bery, along with other co-accused persons, while committing so,  
taken away cash of Rs. 1,30,968/- and other valuables belongs  
to informant.

Learned counsel appearing on behalf of the petitioner



submitted that petitioner has been falsely implicated in this case, where nothing surfaced during the course of investigation, which may connect this petitioner with present set of robbery. It is further submitted that petitioner was not put on TIP, as yet. It is further submitted that in absence of details and denomination of recovered currency note, petitioner cannot be connected with alleged recovered currency note, in any manner. 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 petitioner is not named in F.I.R.

Considering the facts and circumstances as mentioned above, as alleged recovery of currency note was made from jointly occupied house of the petitioner, having no details and denomination to connect with present set of robbery coupled with the fact that charge-sheet has been submitted, let the petitioner, above named, is directed to be released on bail in connection with Kochadhaman P.S. Case No. 301 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 Chief Judicial Magistrate, Kishanganj concerned court,



subject to the following conditions:

“(i) That the accused/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 Champa Khatoon, who is the wife of the petitioner and deponent of the present bail petition.”

**(Chandra Shekhar Jha, J)**

pooja/-

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