

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17721 of 2022

Arising Out of PS. Case No.-149 Year-2021 Thana- ATHMALGOLA District- Patna

MOHAN KUMAR Son of Upendra Ray Residnet of Naya Tola Sabnima,
Athmalgola, P.S.- Athmalgola, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar Singh

For the Opposite Party/s : Mr.Dr. Ajeet Kumar

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 26-07-2022 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned APP for the State.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 393 and 398 of the Indian Penal Code and 27 of the Arms Act.

As per the prosecution case, the petitioner along with two other co-accused persons attempted to rob the informant and his wife on gunpoint. When two local boys interfered, the accused and other co-accused persons fired at them and fled away on their motorcycle.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case on account of village rivalry. Nothing has been recovered



from the conscious possession of the petitioner. During the course of investigation the name of the petitioner has surfaced in this case. Charge-sheet has already been submitted against the petitioner. The petitioner is also accused in four other criminal cases as stated at para 3 of the bail petition. The petitioner is in custody since 05.10.2021.

Learned A.P.P. for the State has opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances, the petitioner above-named, is directed to be enlarged on bail on his furnishing bail-bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Barh, Patna, in connection with Athmalgola P.S. Case No. 149 of 2021, with a condition :-

1. The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner will liable to be cancelled.

The application stands allowed.

(Chandra Prakash Singh, J)

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