

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.20528 of 2022**

Arising Out of PS. Case No.-85 Year-2021 Thana- SIMULTALLA District- Jamui

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1. Manoj Das, Son Of Pawan Das @ Paran Das R/O Village- Noniya Basar, P.S.- Banka, District- Banka
  2. Tufani Das, Son Of Hari Das R/O Village- Noniya Basar, P.S.- Banka, District- Banka
  3. Ramanand Yadav, Son Of Churaman Yadav R/O Village- Kadaragora, P.S.- Katoriya, District- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Pramod Kumar

For the Opposite Party/s : Mr. Ram Priya Sharan Singh

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR**  
**ORAL ORDER**

3      28-09-2022                      Heard learned counsel for the petitioners and  
  
learned APP for the State.

The petitioners seek bail in connection with  
  
Simultalla P.S. Case No. 85 of 2021, registered for the  
  
offences punishable under Section 392 of the Indian Penal  
  
Code.

The prosecution story as emerging from the F.I.R.  
  
is that the petitioners had looted the cash of Rs. 67,010/-  
  
from the informant and also robbed his Vivo mobile, purse  
  
and motorcycle at the point of pistol.



The learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. He further submits that the case has been registered against unknown for alleged robbery and they have been arrested only on the basis of suspicion. He also submits that there is no recovery of motorcycle which was allegedly robbed, though as per the claim of the Police, one mobile has been recovered from the possession of one of the petitioners. However, as per the learned counsel for the petitioners, this mobile belongs to the petitioner himself. He also refers to F.I.R. in which there is no identification of the mobile set. He also submits that it is difficult to say that the recovered mobile is case property.

The petitioners have been languishing in jail since 08.12.2021.

It is also stated in paragraph no. 2 of the petition that the petitioners have never moved before this Court for grant of anticipatory bail or regular bail.

It has further been stated in paragraph no. 3 of the petition that the petitioner nos. 1 and 3, namely, Manoj



Das and Ramanand Yadav, respectively, have earlier been made accused in one more case, namely, Katoriya P.S. Case No. 61 of 2020, whereas petitioner no. 2, namely, Tufani Das has earlier been made accused in one more case, namely, Banka P.S. Case No. 936 of 2019.

However, the learned APP for the State opposes the prayer of the petitioners for bail.

Considering the aforesaid facts and circumstances, the petitioners, above-named, are directed to be released on bail on their furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-II, Jamui in connection with Simultalla P.S. Case No. 85 of 2021 on the following conditions:

(i) The petitioners will make themselves available for interrogation by a police officer/court as and when required.

(ii) The petitioners will undertake that investigation/trial will not hamper on account of their



absence or non-cooperation. They must be available to the police or the court whenever their presence is required.

(iii) The petitioners shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court below that the petitioners have criminal antecedent other than the disclosed one, the learned court below shall cancel the bail bond of the petitioners after hearing them and getting satisfied that the petitioners have concealed their criminal antecedent despite their knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, the learned court below shall cancel the bail bond of the petitioners.

The application stands allowed accordingly.

The learned counsel for the petitioners is directed to remove all the defects, if any, pointed out by the office



within a period of one month and the Registry is directed to  
issue the certified copy of this order only after removal of  
office objections.

**(Jitendra Kumar, J)**

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