

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24567 of 2022

Arising Out of PS. Case No.-484 Year-2021 Thana- MOHANIYA District- Kaimur (Bhabua)

Ankit Sah Son Of Shri Sanjay Sah Resident Of Village - Suryapura, P.S.-
Ramgarh, District- Kaimur, Bhabhua

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vyas Kumar Mishra, Advocate

For the Opposite Party/s : Mr.Ram Sevak Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 08-08-2022 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 from today.

Heard Mr. Vyas Kumar, learned counsel for the petitioner as well as learned Additional Public Prosecutor for the State.

The application for grant of bail to the petitioner, above named, who has been made accused and put behind the bar in connection with Mohaniya P. S. Case No. 484 of 2021 registered for the offence punishable under section 392, 307 of Indian Penal Code and Section 27 of Arms Act.

As per the prosecution case, it is alleged that while the informant along with his wife and daughter had been coming from Chhadauri Mata Temple, in the meantime four miscreants



intercepted them and snatched a wallet, mobile phone and ten thousand rupees etc. It is further alleged that one of the miscreants also fired upon them.

Learned counsel appearing on behalf of the petitioner submits that the F.I.R has been instituted against unknown persons however, during the course of investigation, name of the petitioner has surfaced only on suspicion and it has come that the looted mobile has been recovered from possession of the petitioner. However, neither the petitioner nor the looted mobile have been put on TIP and moreover, the alleged mobile belongs to the petitioner and in support of his submission he has brought invoice/ delivery Chalan of the said mobile. It is further submitted that prior to the institution of the present F.I.R the petitioner had no criminal antecedent however, later on one case has been instituted and in fact on the basis of said case suspicion has been raised about the complicity of the petitioner, and he has been implicated in this case. It is next submitted that the petitioner is a man of fair antecedent and he is in custody since 22.10.2022 and moreover, after completion of the investigation charge-sheet has been submitted.

On the other hand, learned APP for the State vehemently opposed the bail application and submits that the looted mobile



has been recovered from the possession of the petitioner.

Having regard to the submissions made on behalf of the parties and considering the fact that neither the petitioner nor the looted mobile has been put on test identification and the present F.I.R has been instituted against unknown persons and moreover, the petitioner is in custody since 22.10.2021 and the investigation of the crime is already completed and the charge-sheet has been submitted let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of learned Court of learned Chief Judicial Magistrate, Kaimur at Bhabhua in connection with Mohaniya P. S. Case No. 484 of 2021, subject to the condition that one of the bailors will be the close relative of the petitioner with further conditions which are as follows:-

- (i) The petitioner will cooperate in conclusion of the trial.
- (ii) He will remain present on each and every date of trial till disposal of the case.
- (iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.



(iv) In the event of default of two consecutive dates
without any cogent reason, his bail bonds will
liable to be cancelled.

(Harish Kumar, J)

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