

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37768 of 2022

Arising Out of PS. Case No.-24 Year-2022 Thana- UPHARA District- Aurangabad

Naresh Kumar S/O Ashok Rajbanshi Resident of Village- Pipra,P.S.- Jamhore,
District- Aurangabad, Bihar.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Shanu, Adv.

For the Opposite Party/s : Mr. Md. Matloob Rab, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 23-09-2022 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual mode.

The petitioner seeks regular bail in connection with
Uphara P.S. Case No. 24 of 2022 lodged under Section 392 of
the I.P.C.

As per the prosecution case, the allegation of robbery
is there in the F.I.R. against 2 named accused persons including
the present petitioner who robbed the informant and his brother
but in the meantime, the vehicle of police station reached there
and they made attempt to flee from the place of occurrence but
the brother of the informant with the help of police have caught
both the accused persons who disclosed their name.

Learned counsel for the petitioner submits that he is innocent and has committed no offence. From the seizure list, it transpires that recovery of Rs.130/- cash took place from his pocket. Learned counsel for the petitioner further submits that petitioner is in custody since 17.04.2022 having clean antecedent.

Learned counsel for the State submits that the allegation of robbery is there and petitioner has caught from the place of occurrence.

Learned counsel for the petitioner submits that the bail application of other co-accused was rejected by this Court vide order dated 16.09.2022 passed in Cr. Misc. No. 35280 of 2022. In the said rejection order, liberty was given that the petitioner may release after framing of charge. Learned counsel for the petitioner submits that charge has been framed in this case and the said accused persons has been released.

Learned counsel for the State opposes the prayer for bail and submits that if bail shall be granted, he shall create hindrance in evidence.

In the present facts and circumstances of this case and the submissions made above, I am inclined to grant bail to the petitioner at present but he may renew his prayer for bail 4

months after framing of charge. The Trial Court shall release him on bail imposing condition that he must not evade from trial.

With this observation, the bail application stands rejected.

(Dr. Anshuman, J)

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