

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39407 of 2022

Arising Out of PS. Case No.-52 Year-2022 Thana- JHANJHARPUR District- Madhubani

Abhishek Kumar @ Abhishek Kumar Mandal Son of Rambilash Mandal
Resident of Village - Harna , P.S.- Jhanjharpur, District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Jha, Advocate

For the Opposite Party/s : Mr. Navin Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 14-10-2022 Heard learned counsel appearing on behalf of the

petitioner and learned APP appearing on behalf of the State

through virtual Court proceedings.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with

Jhanjharpur P.S. Case No. 52 of 2022 registered for the offence

under Section 394 of the Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in
custody since 12.03.2022.

The allegation against the petitioner is to made an
attempt for committing robbery, alongwith other co-accused
persons.

Learned counsel appearing on behalf of the petitioner



submitted that the F.I.R., on its face, is evident of the fact that allegation is based upon suspicion that robbery might be committed by apprehended accused persons including the petitioner. It is pointed out that name of the petitioner involved in one excise case, where he is on bail. It is further submitted that petitioner is not connected with the alleged Scorpio vehicle, where seizure list is appearing doubtful, as same is not supported by independent witnesses rather supported by police personnel. It is further pointed out that similarly situated co-accused person, namely, Sanjay Mahto @ Sanjay Kumar Mahto has already been granted bail by one of the learned Co-ordinate Bench of this Court through Cr. Misc. No. 34056 of 2022 dated 08.09.2022. While concluding the argument, it is submitted that investigation of this case is complete for which chargesheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State opposes the prayer of bail.

In view of the facts and circumstances, as mentioned above, as allegation is based upon the suspicion due to act of the petitioner, as robbery might be committed, coupled with the fact that chargesheet has already been submitted, let the petitioner,



above named, is directed to be released on bail in connection with Jhanjharpur P.S. Case No. 52 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Jhanjharpur, District-Madhubani/concerned Court, subject to the conditions as laid down u/s 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

Ankit/-

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