

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39677 of 2022

Arising Out of PS. Case No.-46 Year-2019 Thana- MEHANDIA District- Jehanabad

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1. Suman Kumar @ Suman Yadav Son of Sri Dhannu Yadav @ Dhannu Prasad
Resident of village- Mahuaa Bigha P.S- Masaudhi, District- Patna
 2. Jalim Yadav @ Rahul @ Rohit Son of Sri Dhannu Yadav @ Dhanu Prasad
Resident of village- Mahuaa Bigha, P.S.- Masaudhi, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Vaishnavi Singh, Advocate

For the Opposite Party/s : Mr.Surendra Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

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

petitioners and learned counsel 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 petitioners seek bail in connection with Mehandia
P.S. Case No. 46 of 2019 registered for the offence under
Sections 392 and 411 of the Indian Penal Code.

The accused/petitioners are named in the F.I.R. and in
custody since 22.06.2022.

The allegation against the petitioners is to commit
robbery and, while committing so, taken away Bolero Pickup
Van loaded with plywood and also mobile phones belongs to the
informant, along with other co-accused persons.



Learned counsel appearing on behalf of the petitioners submitted that petitioners are not named in the FIR, where their name surfaced on the basis of confessional statement of the co-accused, namely, Ranjan Kumar, and in furtherance thereof, no incriminating material surfaced/recovered from the physical possession of these petitioners, which may connect them with the present occurrence of robbery. It is further submitted that looted pickup van was found in abundant condition on the road. It is also submitted that both petitioners involved in three (3) more criminal cases, where they are on bail in all cases. While concluding the argument, it is submitted that investigation of this case is complete, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, while opposing the prayer of bail, fairly conceded that petitioners are not named in the FIR.

Considering the facts and circumstances as mentioned above, as nothing surfaced/recovered, during the course of investigation, to connect these petitioners, prima facie, with the present occurrence of robbery coupled with the fact that charge-sheet has already been submitted, let both the petitioners, above named, are directed to be released on bail in connection with



Mehandia P.S. Case No. 46 of 2019 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Arwal/concerned court, subject to the following conditions:

“(i) That petitioners shall not involve in the similar nature of offence till the conclusion of trial, failing which, the State shall be at liberty to move before the Trial Court itself for the cancellation of bail bond of the petitioner.

(ii) Accused/Petitioners shall cooperate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court, only on medical ground of the petitioner duly supported by the documents.

(iii) That one of the bailors of the petitioners shall be deponent of the present bail petition.”

(Chandra Shekhar Jha, J)

R.S.Sen/-

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