

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61779 of 2021

Arising Out of PS. Case No.-1098 Year-2019 Thana- FORBESGANJ District- Araria

Naveen Kumar @ Monu Jha Son of Chandra Shekhar Jha Resident of
Village- Birban, P.S.- Sonamani, Godam, Dist- Araria.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramesh Kumar Singh, Advocate.

For the Opposite Party/s : Mr.Asha Kumari, APP.

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 08-06-2022 Heard learned counsel for the parties.

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.

The petitioner seeks anticipatory bail in connection with Forbesganj P.S. Case No. 1098 of 2019, registered for the offence under Section 394 of the Indian Penal Code.

The main allegation is that three unknown persons looted a bag containing Rs. 58,430/- from the possession of informant.

Learned counsel for the petitioner submits that except the confessional statement of co-accused named Mithlesh Kumar Mishra @ Mithu there is no any legal evidence against this petitioner, the reason behind the implication of the



petitioner in the present case is that the father of the petitioner who is a practising Advocate at Civil Court Araria filed a complaint case against the concerned SHO of Simraha police station at the instruction of his client named Md. Alam and thereafter, another client of petitioner's father filed a written application to the said SHO but no action was taken on that application and thereafter the said non action on the part of SHO was brought into the knowledge of senior police authorities and thereafter a complaint case bearing no. 1481 (C) of 2019 was filed on behalf of the client named Md. Alam by the petitioner's father before the Chief Judicial Magistrate, Araria and due to these reasons the petitioner has been victimised by the unlawful and illegal action of said SHO.

Further submission is that the petitioner has been selected on the post of a Government teacher under the order of this Court passed in C.W.J.C No. 2414 of 2017.

Learned APP has opposed the bail petition.

Having Considered the above submissions and mainly the cases cited by the petitioner's counsel which were lodged by the petitioner's father, who is a practicing advocate, at the instruction of his client at Simraha police station of which details is mentioned in para 12 to 14 of bail petition and as per



the above submissions except the confessional statement of co-accused there is no other evidence against this petitioner, who has been selected on the post of a Government teacher as mentioned in para 16 of the petition and there are two cases against him including this case in which he is on bail, in the light of these facts a lenient approach can be taken accordingly, let the petitioner, above named, in the event of his arrest/surrender within four weeks from today in the Court below, be released on bail on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria in connection with Forbesganj P.S. Case No. 1098 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Shailendra Singh, J)

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