

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12102 of 2023

Arising Out of PS. Case No.-159 Year-2019 Thana- TARAPUR District- Munger

Chhota Chandan @ Chandan Mahto S/O Baneshwar Mahto R/V- Belthu, P.S.-
Shahkund, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Najmul Hodda

For the Opposite Party/s : Mr. Anant Kumar 1

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 24-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under section 392 of the Indian Penal Code.

As per prosecution case, the informant alleged that while he was returning with a bag containing cash Rs. 5 lakh after withdrawing the said amount from the bank, in the meantime, two accused persons came on motorcycle and snatched the bag and managed to escape with the said amount.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The petitioner is not named in FIR rather he has falsely been implicated in this case on the basis of suspicion. Neither the petitioner was arrested on spot nor any incriminating article has



been recovered from his conscious possession. The name of the petitioner has been transpired in this case on the basis of confession made by co-accused namely, Santosh Kumar who is already getting the privilege of granted bail by a co-ordinate Bench of this Court vide order 4.6.2020 passed in Cr. Misc. No. 19125 of 2020 and in support of this Annexure-2 has been annexed with this petition. It is further submitted that the petitioner is languishing in judicial custody since 28.9.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Tarapur P.S. Case No. 159 of 2019 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Munger.

(Sunil Kumar Panwar, J)

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