

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21068 of 2023

Arising Out of PS. Case No.-117 Year-2021 Thana- LALGANJ District- Vaishali

Abhimanyu Kumar Son Of Nagina Mahto R/O Village- Ghataro Tola Par,
P.S.- Kartaha, District- Vaishali At Hajipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Niranjan Parihar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 22-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Lalganj P.S. Case No. 117 of 2021 registered on 23.03.2021 for the alleged offences under Section 392 of the Indian Penal Code.

3. As per prosecution case, three miscreants snatched motorcycle of the informant and also took away Rs.7,500/- cash while threatening the informant with his life. The name of the petitioner surfaced during investigation as one of the accused persons.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The petitioner has been named in this case on the basis of



confessional statement of co-accused Ramlal Sahni. No looted article or any incriminating has been recovered from the person or possession of the petitioner. Other similarly situated co-accused namely, Raj Lal Kumar and Ramesh Ram have been granted bail vide order dated 19.04.2022 passed in Cr. Misc. No. 67141 of 2021 and vide order dated 23.05.2022 passed in Cr. Misc. No. 752 of 2022 by a Co-ordinate Bench. The petitioner is in custody since 01.07.2022 and charge sheet has been submitted. Learned counsel further submits that the petitioner has got criminal antecedent of 18 cases and he is on bail in all such cases except one.

5. Learned APP opposes the prayer for bail submitting that the petitioner is habitual offender and is accused in large number of cases of similar nature.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that no recovery of any incriminating article has been shown from this petitioner and further considering the period of custody of the petitioner and submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Sub Judge IInd -cum- A.C.J.M, IInd, Vaishali at Hajipur/concerned court in



connection with Lalganj P.S. Case No. 117 of 2021, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bonds of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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