

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32699 of 2023**

Arising Out of PS. Case No.-21 Year-2022 Thana- RAGHUNATHPUR District- Siwan

Monu Paswan S/O Chanu Manjhi R/O Village- Murarpatti, P.S-
Raghunathpur, Distt.- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Udit Narayan Singh, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER**

2 07-07-2023 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

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

The petitioner seeks bail in connection with
Raghunathpur P.S. Case No. 21 of 2022 registered for the
offence under Section 394 of the Indian Penal Code and under
Section 27 of the Arms Act.

The accused/petitioner is not named in the F.I.R. and
is in custody since 21.12.2022.

The allegation against the petitioner is to commit
robbery alongwith other co-accused persons and while
committing so taken away laptop of the informant and also to
open fire upon him, where a bullet hit on his leg.



Learned counsel appearing on behalf of the petitioner submitted that petitioner not apprehended on spot and his name surfaced on the basis of confessional statement of co-accused Alimuddin Khan, where in furtherance of no incriminating material recovered/surfaced during the course of investigation so as to connect this petitioner, *prima facie*, with present occurrence. It is submitted that said co-accused Alimuddin has already been granted bail by one of the learned Co-ordinate Bench of this Court through Cr. Misc. No. 1439 of 2023 vide order dated 03.04.2023. While concluding the argument, it has been submitted that investigation of this case has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as save and except confessional statement, no incriminating material appears to be recovered/surfaced during the course of investigation so as to connect this petitioner with present occurrence of robbery coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 21.12.2022, accordingly, above named petitioner is directed to be released on bail in connection with Raghunathpur P.S. Case



No. 21 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-VIII, Siwan/concerned court, subject to the conditions as mentioned under Section 437 (3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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