

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32712 of 2023

Arising Out of PS. Case No.-68 Year-2022 Thana- PRATAPGANJ District- Supaul

Suman Mangardaita @ Suman Yadav S/O Suresh Mangardaita R/O Village-
Daulatpur, P.S- Karjain, Distt.- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajiv Ranjan Kr. Pandey, Advocate

For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 03-07-2023 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
Pratapganj P.S. Case No. 68 of 2022 registered for the offence
under Sections 365, 392 and 34 of the Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in
custody since 06.02.2023.

The allegation against this petitioner is to commit
robbery alongwith other co-accused persons and while
committing so taken away Scorpio/vehicle of informant, which
was taken initially on hire basis.

Learned counsel appearing on behalf of the petitioner



submitted that petitioner was implicated falsely with present case as certain disputes developed out of fair differences. It is submitted that out of said differences, petitioner was implicated falsely with present case, where it is alleged that the Scorpio/vehicle in issue was taken on hire by petitioner for Govindpur, Supaul. It is further submitted that the alleged Scorpio/vehicle was recovered from co-accused, namely, Avinash Kumar and Chandra Sekhar Kumar, who were granted bail by one of the learned co-ordinate Bench of this Court through Cr. Misc. No. 64831 of 2022 vide order dated 25.04.2023. While concluding the argument, it has been submitted that investigation of this case is completed, for which charge-sheet has already 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 the vehicle in issue was given on hire basis to petitioner by informant, where the vehicle was recovered from other co-accused persons, not from this petitioner coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 06.02.2023, accordingly the petitioner, above named, is directed to be released on bail in



connection with Pratapganj P.S. Case No. 68 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 Sub-Divisional Judicial Magistrate Birpur/concerned Court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

Archana/-

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