

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.33796 of 2023**

Arising Out of PS. Case No.-299 Year-2022 Thana- MOTIPUR District- Muzaffarpur

Manoj Kumar Son Of Rambabu Sah Resident Of Village - Kali Mandir  
Chapra, P.S. - Kanti, Distt. - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Alok Kumar Alok, Advocate

For the Opposite Party/s : Mr. Ahmad Ali, APP

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

2      24-06-2023                      Heard learned counsel appearing on behalf of the  
petitioner and learned APP appearing on behalf of the State.

The petitioner seeks bail in connection with Motipur  
P.S. Case No.299 of 2022 registered for the offence under  
Section 392 of the Indian Penal Code.

The accused/petitioner is not named in the F.I.R. and  
is in custody since 30.09.2022.

The allegation against the petitioner is to commit  
robbery and while committing so taken away a vehicle loaded  
with pulses, which was in possession of informant.

Learned counsel appearing on behalf of the petitioner  
submitted that the name of petitioner surfaced during the course  
of investigation on the basis of confessional statement of co-  
accused, Rahul Kumar, where in furtherance there of no



incriminating material recovered/surfaced which may connect the petitioner with the present occurrence of robbery. It is also submitted that petitioner was not put on T.I.P., as yet. It is further pointed out that petitioner found involved in seven more criminal cases, where a suspicion arises out of his criminal antecedents, where he is on bail in six cases, implicated in the present case also without having any connecting evidence. It is also submitted that criminal antecedent of petitioner is not bearing over the merit of the present case. It is also submitted that similarly situated co-accused, namely Md. Ajad, has already been granted bail by one of the learned Co-ordinate Bench of this Court through Cr. Misc. No. 13110 of 2023 vide order dated 25.04.2023. While concluding the argument, it is submitted that investigation of this case has been completed, for which, charge-sheet has already submitted, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State, opposes the prayer for bail.

In view of the facts and circumstances as mentioned above as save and except confessional statement no incriminating material recovered/surfaced to connect the petitioner, *prima facie*, with the present occurrence of robbery



coupled with the fact that charge-sheet has already been submitted, where petitioner is in custody since 30.09.2022, let above named petitioner is directed to be released on bail in connection with Motipur P.S. Case No.299 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 Judicial Magistrate-II (West), Muzaffarpur/concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

**(Chandra Shekhar Jha, J.)**

S.Tripathi/-

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