

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35437 of 2022

Arising Out of PS. Case No.-108 Year-2022 Thana- DHANARUA District- Patna

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MONU KUMAR SON OF VINOD KUMAR RESIDENT OF VILLAGE- HASAPUR,
POLICE STATION- DHANARUA, DISTRICT- PATNA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Arun, Advocate Mr. Thakur Brajesh Singh, Advocate Ms. Kanika, Advocate
For the Opposite Party/s	:	Mr. Abhay Kumar Roy, APP Mr. Lallu Prasad, Advocate

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 17-01-2023 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under section 394 of the Indian Penal Code.

As per the prosecution case, it is stated by the informant that while he was carrying a total amount of Rs. 4.88 lacs approx, unknown accused persons on the point of *Chaku* robbed the said amount from him.

It is submitted by learned counsel for the petitioner that the F.I.R. was registered against two unknown. In course of investigation the petitioner who was the informant of the case was himself falsely implicated on the ground of an unsubstantiated suspicion raised by brother of the owner of the petrol pump who raised suspicion on the ground as to why the petitioner/informant had



proceeded to deposit the amount in the bank, all alone. Contrary to the allegation no incriminating article has been recovered from his possession. He is in custody since 5.3.2022 and has no criminal antecedent. Charge-sheet has been submitted in the case.

The application for bail is opposed by learned A.P.P. for the State who submits that the petitioner tried to rob the owner of the petrol pump of a sum of Rs. 4.88 lacs approx by lodging a false case and in course of investigation the said amount was recovered from his possession.

Having heard learned counsel for the parties and taking into consideration the nature of allegation, the petitioner being in custody since 5.3.2022, not having any criminal antecedent and charge-sheet having been submitted in the case, the petitioner is directed to be enlarged on bail in connection with Sessions Trial no. 834 of 2022 (arising out of Dhanarua P.S. Case no. 108 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 the learned Additional District and Sessions Judge- II, Masaurhi, Patna.

(Partha Sarthy, J)

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