

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37407 of 2023

Arising Out of PS. Case No.-3 Year-2022 Thana- SUIYA District- Banka

Manoj Kumar @ Manoj Mandal S/O Jyotish Kumar @ Jyotish Pandit R/O
Village. Simaria (Barahat), Ps. Belhar, Dist. Banka

... .. Petitioner/S

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Rana Randhir Singh, 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 Suiya P.S.
Case No. 03 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 31.01.2023.

The allegation against this petitioner is to commit
robbery and while committing so taken away cash of about Rs.
70,000/- and mobile phones belongs to informant and others
during the course of occurrence.

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, namely Shatrudhan Kumar @ Mridang Kumar, who was granted bail by one of the learned co-ordinate Bench of this Court through Cr. Misc. No. 45128 of 2022 vide order dated 29.11.2022, where in furtherance of no incriminating material recovered /surfaced against this petitioner to connect, *prima facie*, with present occurrence of robbery. It is submitted that petitioner was not put on TIP, as yet. While concluding the argument, it has been submitted that petitioner found involved in one more criminal case and that too on the basis of confessional statement of same co-accused and moreover, 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 save and except confessional statement, no incriminating material appears to be recovered against this petitioner, as to connect petitioner with present occurrence of robbery, coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 31.01.2023,



accordingly the petitioner, above named, is directed to be released on bail in connection with Suiya P.S. Case No. 03 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 1st, Banka/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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