

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37331 of 2023

Arising Out of PS. Case No.-1400 Year-2022 Thana- KHAJANCHI HAT District- Purnia

Dhananjay Kumar Son of Mantu Yadav Resident of village - Ojhakapa, P.s. -
Rupauli, Distt. - Purnea.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramesh Kumar Singh, Adv.

For the Opposite Party/s : Mr. Ramchandra Sahni, APP.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 05-07-2023 Let the defect(s), if any, be removed within two weeks
from today.

2. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

3. The petitioner seeks regular bail in connection with
K. Hat (Maranga) P.S. Case No.1400 of 2022 dated 29.12.2022,
lodged under Section 392 of the Indian Penal Code.

4. As per prosecution case, the allegation of robbery is
there against two named accused persons.

5. Learned counsel for the petitioner submits that
petitioner is innocent and has not committed any offence. He
further submits that petitioner was not put on T.I.P. rather
allegation is there that the looted mobile has been recovered
from his possession. Learned counsel submits that it is true that

one Realme mobile has been recovered from the possession of petitioner but no T.I.P. of article has taken place in this case. He also submits that antecedent of petitioner is clean, he is in custody since 16.01.2023 and charge sheet has already been filed in this case. Learned counsel submits that said section under which F.I.R. has been lodged is magisterial triable.

6. Learned counsel for the State opposes the prayer for bail.

7. Upon specific query that whether charge has been framed or not, learned counsel for the petitioner submits that as per his knowledge, charge has not been framed in this case.

8. In the present facts and circumstances, I am not inclined to grant regular bail to the petitioner.

9. Accordingly, the prayer for regular bail of the petitioner in connection with K. Hat (Maranga) P.S. Case No.1400 of 2022, pending before the learned Chief Judicial Magistrate, Purnea is hereby rejected.

10. However, the petitioner would be at liberty to renew the prayer for bail after framing of the charge. In the event, if the charge has already been framed, the petitioner is directed to be released on bail by the learned Court below by imposing its own condition so that the petitioner may not evade

his appearance during trial.

11. With this observation, the bail application stands disposed of.

(Dr. Anshuman, J.)

Ritik/-

U		T	
---	--	---	--