

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41492 of 2022

Arising Out of PS. Case No.-273 Year-2021 Thana- MANJHI District- Saran

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MRITYUNJAY DUBEY S/O LATE KAMALDEO DUBEY Resident of
village- Mubarakpur P.S.- Manjhi District- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Chandra Mohan Jha, Adv.

For the Opposite Party/s : Mr.Mukesh Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

3 30-01-2023 Let the defect(s), as pointed out by the office, be

removed within a period of four weeks from today.

Heard learned counsel for the petitioner and learned

A.P.P. for the State.

The petitioner seeks bail in connection with Manjhi

P.S. Case No. 273 of 2021 registered for the offence punishable

under Section 392 of the Indian Penal Code.

As per prosecution case, three unknown miscreants

looted away bag containing Rs. 83,479/-, Samsung TAB, Redmi

mobile and one biometric machine from the dicky of

informant's motorcycle. It is further alleged that Vivo mobile

was also snatched by the miscreants from the pocket of



informant.

Learned counsel for the petitioner submits that petitioner is not named in the FIR and during course of investigation his name has been surfaced on the basis of confessional statement of co-accused Kundan Sah. Except confessional statement, there is nothing on record to connect the present petitioner with the alleged occurrence. Petitioner is quite innocent and has not committed any offence as alleged in the FIR rather he has falsely been implicated in this case due to ulterior motive of the informant. Petitioner is in custody since 25.04.2022 and bears criminal antecedent of one case.

The learned A.P.P. for the State vehemently opposed the prayer for bail of the petitioner by submitting that on the basis of disclosure of co-accused Kundan Sah, Samsung TAB, two mobiles and Rs. 34,200/- were recovered from the house of present petitioner. He further submits that one motorcycle was also recovered from the campus of house of present petitioner which has been used in the present crime.

Considering the facts and circumstances of the case, nature of allegation levelled against the petitioner as well as material available on record, I am not inclined to grant bail to the petitioner. Accordingly, the prayer for bail of the petitioner is



hereby rejected.

However, the petitioner may renew prayer of bail
after framing of charge.

(Alok Kumar Pandey, J)

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