

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52435 of 2022**

Arising Out of PS. Case No.-428 Year-2021 Thana- NATHNAGAR District- Bhagalpur

MITHUN MANDAL @ MITHUN KUMAR S/O UDAY MANDAL Resident
of village- Biharipur, P.S.- Nath Nagar, Madhusudanpur, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjan Kumar Jha, Advocate
For the Opposite Party/s : Mr.Shyameshwar Dayal, APP

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER**

2 13-01-2023 Heard learned counsel for the petitioner and learned
APP for the State in Virtual Court Proceeding.

Let the defect(s), if any, as pointed out by the
office, be removed within four weeks.

The petitioner is apprehending arrest in connection
with Nath Nagar Madhusudanpur P.S. Case No. 428 of 2021
under section 414 of the Indian Penal Code.

As per the prosecution story, the informant, a Field
Officer has alleged that while he was returning after collecting
Rs. 48,000/-, he was intercepted and on the point of pistol, they
snatched the bag and fled away. Further, he raised 'hullah', the
miscreants threw the bag and when he checked it, only a cash of
Rs. 26,900/- was available as the accused persons were masked,
he could not identify them.



Learned counsel for the petitioner submits that he is an aged person and is not involved in such crime and he do not have criminal antecedent and the last submission is that one of the similar place co-accused Lalu Kumar has since been granted relief by a coordinate bench of this Court in Cr. Misc. No. 11343 of 2022 on 16.5.2022.

The learned APP opposes the prayer.

Taking into account the aforesaid fact the petitioner do not have criminal antecedent, the allegation is vague and one of the co-accused has since been granted relief, this Court is inclined to grant him relief.

Let the petitioner be released on bail, in the event of his arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Bhagalpur, in connection with Nath Nagar Madhusudanpur P.S. Case No. 428 of 2021 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Rajiv Roy, J)

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