

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66187 of 2022

Arising Out of PS. Case No.-192 Year-2021 Thana- ARA MUFFSIL District- Bhojpur

Monu Singh @ Braj Mohan Singh Son of Late Nathuni Singh R/O village-
Karara, P.S- Ara Muffasil (O.P- Dhobahan), District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Advocate
For the Opposite Party/s : Mr. Zainul Abedin, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 22-02-2023 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 Muffasil
P.S. Case No. 192 of 2021 registered for the offence under
Sections 147, 148, 149, 341, 323, 504, 506 and 380 of the Indian
Penal Code (for short 'I.P.C.') and under Section 27 of the Arms
Act.

The accused/petitioner is named in the F.I.R. and is in
custody since 16.08.2022.

The allegation against the petitioner is of firing and
also to commit theft in the dwelling house of the informant and
while committing so taken away cash of Rs. 25,000/- (Rupees



Twenty-five Thousand) and gold jeweleries of Rs. 2,00,000/- (Rupees Two Lac).

Learned counsel appearing on behalf of the petitioner submitted that the present F.I.R. was lodged after five days of the occurrence without any explanation for the delay, as caused. It is submitted that no recovery of any incriminating material was made during the course of investigation from petitioner, which may suggest that petitioner was involved in present case. It is also pointed out that petitioner was not put on TIP, as yet. While concluding the argument, it has been submitted that criminal antecedent of petitioner is clean but it appears from the impugned order that petitioner found involved in one more criminal case and moreover, investigation has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP for the State opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as no incriminating material recovered/surfaced from the petitioner to connect him with present set of occurrence coupled with the fact that charge-sheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Muffasil P.S. Case No. 192 of 2021 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-VII, Bhojpur, Ara/concerned court, subject to the conditions as mentioned under Section 437 (3) of the Cr.P.C.

It is directed to learned Trial Court that if petitioner found involved in any criminal case contrary to his affidavit, claiming a man of clean antecedent, the bail bond of the petitioner shall not be accepted.

(Chandra Shekhar Jha, J)

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