

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67680 of 2023**

Arising Out of PS. Case No.-830 Year-2019 Thana- BETTIAH CITY District- West
Champaran

Manoj Sharma @ Saurabh S/O Chhavilal Sharma R/O Village- Siktaul Mani
Ram, P.S- Chiluatal, Distt.- Gorakhpur (U.P).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramendra Kumar Bharti, Advocate
For the Opposite Party/s : Mr. Arun Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 18-10-2023 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Sessions Trial No. 558 of 2022 CIS No. 415 of 2022 arising out of Bettiah Town P.S. Case No. 830 of 2019 dated 11.11.2019 registered for the offences punishable u/s 394 of the Indian Penal Code.

3. As per the prosecution case, the informant along with one Rahul Kumar was going to S.B.I. Main Branch with motorcycle for depositing Rs. 15,00,000/- of his owner. When the informant reached near Gulabbagh two miscreants came there on a motorcycle and dashed the informant's motorcycle. They tried to snatch the bag of the informant in which he kept



Rs. 15,00,000/- of his owner. On protest, the miscreants fired on Rahul Kumar due to that he received fire arm injury in his waist. It is also alleged that the miscreants snatched the bag containing money on gun point and fled away.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is not named in the FIR. The name of the petitioner has sprung up during the course of investigation. Nothing has been recovered from the conscious possession of the petitioner. Similarly situated co-accused has already been granted bail by the co-ordinate bench of this court *vide* order dated 19.10.2022 passed in Cr. Misc. No. 1838 of 2022. The petitioner is also accused in 12 other criminal cases as stated in para 3 of the bail petition. The petitioner is in custody since 19.02.2021.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned



Court concerned, West Champaran, Bettiah in connection with Sessions Trial No. 558 of 2022 CIS No. 415 of 2022 arising out of Bettiah Town P.S. Case No. 830 of 2019, with the condition/s:-

(i) One of the bailors shall be a close relative of the petitioner who shall give genealogy as to how he is related to the petitioner.

(ii). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to cancelled.

(iii) If the petitioner is found involved in similar nature of offence in future, the prosecution will be at liberty to move for cancellation of his bail bonds.

7. The application stands allowed.

(Chandra Prakash Singh, J)

guddukr/-

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