

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71139 of 2023

Arising Out of PS. Case No.-287 Year-2022 Thana- MAHNAR District- Vaishali

Suraj Kumar @ Suraj Patel Son Of Suresh Prasad Resident Of Village -
Kaimashikoh, Bans Bazar, P.S. - Chowk, District - Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Awadhesh Kumar, Advocate

For the Opposite Party/s : Mr. Mithlesh Kumar Khare, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 08-11-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Mahnar P.S. Case No. 287 of 2022 registered on 07.10.2022 for the alleged offences under Sections 392 of the I.P.C and 27 of the Arms Act.

3. As per prosecution case, three miscreants came on a motorcycle, opened fire and snatched Rs. 15,000/-, which was proceed of the sale, from the staff of the petrol pump. The name of the petitioner surfaced during investigation as one of the miscreants.

4. The learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case. The name of the petitioner came up in this case on the



basis of confessional statement of co-accused Sanju Kumar and apart from that there is no cogent material to connect the petitioner with the offence as alleged. Nothing incriminating has been recovered from the conscious possession of the petitioner. Petitioner has been dragged in this case merely on suspicion. The petitioner is in custody since 24.11.2022 and charge-sheet has been submitted. Learned counsel further submits that petitioner is accused in five criminal cases and he is on bail in all such cases.

5. Learned APP opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that the petitioner was not apprehended from the spot and nothing incriminating has been recovered from his possession and further considering the period of custody of the petitioner and submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Vaishali, Hajipur in connection with Mahnar P.S. Case No. 287 of 2022, subject to the conditions mentioned in Section 437(3)



of the Cr.P.C. and the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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