

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68067 of 2022

Arising Out of PS. Case No.-632 Year-2021 Thana- MUZAFFARPUR SADAR District-
Muzaffarpur

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AMAN KUMAR Son of Shatrughan Mahto R/v- Masadpur, P.S.- Barauni
Refinery, District- Begusarai

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Yugal Kishore, Advocate
For the Opposite Party/s : Mr. Uday Pratap Singh, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 14-03-2023 Heard learned counsel appearing on behalf of the

parties.

Let the defect(s), if any, be removed within a period

of four weeks from today.

The petitioner seeks bail in connection with Sadar P.S.

Case No. 632 of 2021 registered for the offence under Sections

394 of the Indian Penal Code and Section 27 of the Arms Act.

The accused/petitioner is not named in the F.I.R. and

is in custody since 30.11.2021.

The allegation against the petitioner is to commit

robbery along with other co-accused persons and while

committing so, fire was made by one of the co-accused, hitting

stomach of son of informant, after which, petitioner along with



other co-accused persons run away without looting any articles/cash from shop of informant.

Learned counsel appearing on behalf of the petitioner submitted that allegation is of merely attempt of robbery which can be collect safely from the face of FIR. It is submitted that petitioner remanded in the present case from Sadar P.S. Case No. 633 of 2021, where no incriminating material including firearm was recovered from his possession. It is submitted that save and except suspicion nothing appears against this petitioner. While concluding the argument, it is submitted that petitioner found involved in 02 criminal cases, where, he is on bail and moreover, investigation of this case has been completed, for which, charge-sheet has already submitted, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State, opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as save and except suspicion/self confession, nothing incriminating material surfaced/recovered, during course of investigation, *prima facie*, which may connect this petitioner with present occurrence of robbery coupled with the fact that charge-sheet has already submitted, let the petitioner,



above named, is directed to be released on bail in connection with Sadar P.S. Case No. 632 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 J.M., 1st Class, East Muzaffarpur/concerned court, subject to the condition as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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