

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35389 of 2024**

Arising Out of PS. Case No.-262 Year-2023 Thana- BUXAR MUFFSIL District- Buxar

Mohan Chauhan @ Manmohan Chouhan, aged about 35 years (Male), son of Shriram Chauhan, R/O Village+ Post- Mahdah, P.S.- Buxar Muffassil, Dist- Buxar.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Anand Kumar Ojha 1, Advocate
For the Opposite Party : Mr. Abhay Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 18-07-2024 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with Sessions Trial No. 317 of 2023 (CIS No. 317/2023), arising out of Buxar Muffasil P.S. Case No. 262 of 2023 dated 02.06.2023 registered for the offence punishable under Section 392 of the I.P.C.

3. As per the prosecution case, four unknown miscreants are alleged to have snatched locket, chain, mobile and cash of Rs. 2,000/- from the informant's wife on the 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. It is submitted that the petitioner is not named in the F.I.R. His name has surfaced in the present case during the course of investigation on his self confession made before the police. No incriminating article has been recovered from the possession of the petitioner. It is submitted that as per police, looted mobile has been recovered from the possession of the petitioner but the real fact is that police implicated the petitioner in the present case by taking advantage criminal history of the petitioner of same nature by way of plantation. The petitioner is doing the work of labour since long. The other co-accused Sunil Rajbhar @ Dara has already been granted anticipatory bail by a Bench of this Court vide Cr. Misc. No. 31215 of 2024 under order dated 22.05.2024. The petitioner has nine criminal antecedents and in eight cases he is on bail as stated in paragraph no. 3 of the bail petition. He is in custody in this case since 14.07.2023.

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 A.D.J.-Ist, Buxar in connection with Sessions Trial No. 317 of 2023 (CIS No. 317/2023), arising out of Buxar Muffasil P.S. Case No. 262 of 2023 with further condition:-

(I) 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 bonds of the petitioner are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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