

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53175 of 2024

Arising Out of PS. Case No.-65 Year-2024 Thana- ARARIA District- Araria

Manohar Kumar Mehta @ Manohar Mehta @ Manohar Kumar S/o Surendra
Mehta @ Sulendra Mehta R/o vill - Telwa Bharna, ward no. 9, p.s. - Nauhatta,
Distt. - Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Rashmi Jha, Adv.

For the Opposite Party/s : Mr. Dilip Kumar No. 1, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 30-08-2024 Heard learned counsel for the petitioner and

learned APP for the State. Perused the case diary which was

called for in Cr. Misc. No. 50404 of 2024.

2. The petitioner seeks bail in connection with S.T.

No. 296 of 2024 arising out of Araria P.S. Case No. 65 of

2024 instituted for the offences under Sections 395, 397,

412 of the Indian Penal Code and Section 25(1-B)A, 26, 27

of the Arms Act.

3. As per prosecution case, in short, is that six

unknown miscreants committed *dacoity* in Axis Bank and

looted cash amounting Rs. 1,00,31,908/- from the cash-

counter. It is further alleged that the accused persons also



took away DVR and CCTV.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case merely on the basis of suspicion. The petitioner is not named in the F.I.R. and his name has transpired in this case in course of investigation. He further submits that nothing incriminating/looted article has been recovered from the conscious possession of the petitioner. Though the seizure list shows that some documents, two motorcycles, mobiles and a country made pistol have been recovered from the petitioner but, neither the petitioner nor the seized articles were put on T.I.P. which creates a doubt in the prosecution case. The seized motorcycle which was recovered from the back side of the house of the petitioner does not belong to the petitioner. There is no direct or specific allegation of any overt act against the petitioner rather the same is general and omnibus in nature. The petitioner has no concern with the alleged occurrence. Except suspicion and confessional statement of the petitioner, there



is nothing against him. The petitioner has five criminal antecedents and is languishing in judicial custody since 06.02.2024 without any rhymes or reason.

5. Learned counsel for the petitioner again submits that the co-accused namely Shantanu Singh has been granted bail by this Court vide order dated 28.06.2024 passed in Cr. Misc. No. 37627 of 2024.

6. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner, stating that the petitioner, in his confessional statement, has confessed his guilt of being involved in the alleged occurrence. The petitioner has altogether five criminal antecedents. The offence alleged is serious in nature and thus, he does not deserve bail.

7. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction



of Court below/concerned Court in connection with S.T. No. 296 of 2024 arising out of Araria P.S. Case No. 65 of 2024, subject to the following conditions;

(i) One of the bailor(s) shall be the own/close family members of the petitioner.

(ii) The petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(Rudra Prakash Mishra, J)

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