

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 63123 of 2024

Arising Out of PS. Case No.-64 Year-2024 Thana- DARPA District- East Champaran

Mantu Jaiswal @ Mantu Kumar S/o - Dharmendra Prasad Jaiswal @
Dharmendra Prasad Resident of village - Amwa Tonwa, Police station
-Jharokhar, District -East champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar, Adv

For the Opposite Party/s : Mr. Umanath Mishra, APP

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

ORAL ORDER

2 24-09-2024 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 Darpa P.S. Case No. 64 of 2024 dated 30.04.2024 registered for the offences punishable u/s 412, 413 and 414 read with section 34 of the Indian Penal Code and Section 25 (1-b) a/26 and 35 of the Arms Act.

3. As per the prosecution case, Rs. 75,000/- Nepali currency, one gold ring, one Splender motorcycle, one country made pistol and two live cartridges were recovered from the house of the petitioner who was apprehended from the house of the co-accused *Dilip Kumar* and he disclosed that he along with the co-accused *Dilip Kumar, Guddu Kumar, Arjun Paswan, Raj*



Kumar and Bhulan Mahto looted Nepali currency from Nobil Bank.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. As per the F.I.R, the allegation against the petitioner is that he is involved with other co-accused for loot of Nobil Bank in Birganj. It is further submitted that the petitioner was arrested from the house of the co-accused Dilip Mahto and the wife of Dilip Mahto, namely, Savita Devi has falsely stated that the recovered cash of Rs. 17,28,200/- Nepali currency belongs to the petitioner. It is further submitted that from the house of the petitioner the recovery of cash, ornaments and motorcycle belonged to the petitioner and his family member. It is further submitted that the said country made pistol and two live cartridges have not been recovered from the conscious possession of the petitioner. The petitioner is not involved in loot of the said Bank and he has no concern with the said recovered amount from the house of the co-accused persons. The petitioner has one antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 01.05.2024.

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 and the nature of allegation levelled against the petitioner 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, East Champaran in connection with Darpa P.S. Case No. 64 of 2024, with a condition/s:-

(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 bond of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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