

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66728 of 2023

Arising Out of PS. Case No.-174 Year-2023 Thana- SHAMBHUGANJ District- Banka

1. SACHIN KUMAR son of Mukesh Mandal @ Mukesh singh Village- Kaitha
Ps- Shambhuganj Dist- banka
2. Amarjeet Kumar son of Gajendra Singh Village- Fulwariya Ps- Shahkund
Dist- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Kumar

For the Opposite Party/s : Mr.Nand Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 30-01-2024 Heard learned counsel for the petitioners and
learned APP for the State.

2. The petitioners have prayed for bail in a case
registered for the offence punishable under Section 392 of the
Indian Penal Code.

3. As per allegation in the FIR, while the informant
went to Karsov village for selling clothes, two miscreants
came and committed loot of cash of Rs. 1500/- and clothes
worth of Rs. 15,000/- from the informant on the point of
pistol. During course of enquiry, the name of one of the
miscreants was disclosed as Jitu Mandal.

4. Learned counsel appearing on behalf of the



petitioners has submitted that petitioners are innocent and have committed no offence. They have been falsely implicated in this case. It is further submitted vide para 7 and 8 of the petition that name of petitioner no. 1 transpired on the basis of confessional statement of co-accused Jitu Mandal before the police in which he told that he gave the clothes to petitioner no. 1 to conceal. In fact, Jitu Mandal who is cousin of petitioner No.1 gave one bundal of clothes to petitioner No.1 at the house, who told that he would be coming in the evening and would take away the same, the petitioner no.1 was unaware of the booty inside the said bundal and police suddenly came to house of petitioner No.1 where petitioner no.2 was present who also happened to be the cousin of petitioner no. 1 and hence both of them were arrested. No T.I.P. of the petitioners was held. Petitioners are languishing in judicial custody since 05.04.2023.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioners on bail **after framing of charge**. The above



named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Banka in connection with Shambhuganj P.S. Case No. 174 of 2023.

(Sunil Kumar Panwar, J)

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