

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69337 of 2024

Arising Out of PS. Case No.-57 Year-2023 Thana- KHARIK District- Bhagalpur

Chhotu Kumar @ Ram Prawesh Mandal @ Ram Pravesh Mandal, S/O Chuno Mandal @ Chunchun @ Chunchun Mandal, R/O Village- Pachgachia, Bazar Police Station- Gopalpur, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar, Advocate

For the Opposite Party/s : Mr. Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 20-09-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Sessions Trial no.106 of 2024, arising out of Kharik P.S. Case no. 57 of 2023 registered under sections 395 of the Indian Penal Code.

3. As per the prosecution case, the informant states that six unknown accused persons looted the informant on a gun-point of Rs.4500/- in cash, Aadhar Card, Pan Card, ATM and various other documents as stated in the F.I.R.

4. Learned counsel for the petitioner submits that the F.I.R. was registered against six unknown. The name of the petitioner transpired in course of investigation on the information furnished by spy. No incriminating article has been recovered from the petitioner's possession, who is in custody



since 25.4.2023 and charge-sheet has been submitted in the case. It is further submitted that the case of this petitioner stands on a similar footing to that of co-accused Lavkush Yadav, who has been enlarged on bail vide order dated 22.2.2024 passed in Cr. Misc. no. 9622 of 2024.

5. The application for bail is opposed by learned A.P.P. for the State who submits that it was on the basis of confessional statement of the petitioner that some of the looted articles were recovered.

6. Having heard learned counsel for the parties and taking into consideration the allegations against the petitioner in the FIR, the material that has transpired in course of investigation as is evident from the order of the learned trial Court, his being in custody for more than 1 year 4 months since 25.4.2023, grant of bail to similarly situated co-accused vide aforesaid order dated 22.2.2024 and charge having been framed in the learned trial Court as is evident from the order of the learned trial Court rejecting the application for bail of the petitioner, the petitioner is directed to be enlarged on bail in connection with Sessions Trial no.106 of 2024 (arising out of Kharik P.S. Case no. 57 of 2023) on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like



amount each to the satisfaction of the learned Additional District
and Sessions Judge-III, Naugachia, Bhagalpur.

(Partha Sarthy, J)

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