

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81807 of 2024

Arising Out of PS. Case No.-135 Year-2024 Thana- FALKA District- Katihar

1. Ajeet Kumar Son of Sudhir Kumar Mandal R/O Gobindpur Diara, P.S.- Falka, Dist.- Katihar
2. Nawnit Kumar Mandal Son of Nandkishor Mandal R/O Gobindpur Diara, P.S.- Falka, Dist.- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Singh, Advocate
For the Opposite Party/s : Mr.Pranav Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 04-12-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. In the present case, the petitioners seeks bail in connection with Falka P.S. Case No. 135 of 2024, registered on 23.07.2024 for the alleged offences under Sections 309(4), 109 of BNS, 2023 and Section 27 of the Arms Act.

3. As per prosecution case, two persons asked the informant to stop his motorcycle and when the informant slowed his motorcycle, one person caught his motorcycle from behind and they snatched Rs.20,000/- from the informant. They also tried to snatch his mobile phone. When the informant identified one of them as co-accused Munna Yadav, the said



miscreant shot at the informant and both of them fled away with the motorcycle of the informant. The name of the petitioners transpired during investigation as being involved in the offence against the informant.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. The informant named co-accused Munna Yadav who was apprehended in course of investigation and in his confessional statement he named the petitioners. Except for the said confessional statement there is nothing against the petitioners as recovery shown from the petitioners is not of looted cash and it is their own money. The petitioners were never put to any Test Identification Parade. The petitioners are in custody since 26.06.2024 and charge sheet has been submitted. The petitioners are having clean antecedent.

5. Learned APP opposes the submission made on behalf of the petitioners.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the lack of substantive material against the petitioners and also considering the period of custody of the petitioners, their clean antecedent and submission of charge sheet, the petitioners above



named are directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Katihar/concerned Court in connection with Falka P.S. Case No. 135 of 2024, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the following conditions:

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bonds of the petitioners will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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