

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83989 of 2023**

Arising Out of PS. Case No.-307 Year-2019 Thana- JAGDISHPUR District- Bhojpur

Manish Sah @ Ashish Sah Son Of Ash Narayan Gupta R/O Village- Bora
Kharuani, P.S.- Bihiya, District- Bhojpur

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Akash Kumar Mishra
For the Opposite Party/s : Mr.Indu Kumari Srivastava

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

2 08-01-2024 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 392 of the Indian Penal Code.

The prosecution case in nutshell is that while the informant along with his friend Ganesh Prasad was returning his home on mmotorcycle, four miscreants on two motorcycles came there and stopped the bike of informant and looted four mobile phones worth Rs. 23,000/-, cash of RS. 7,000/- from the pocket of



Ganesh Prasad and hot spot worth Rs. 4,000/-.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case. Neither the petitioner is named in F.I.R. nor he has been put on T.I.P. It is submitted vide para 10 of the petition that nothing incriminating has been recovered from his possession. The name of petitioner sprang up during investigation of the case. Moreover, the petitioner is languishing in judicial custody since 29.05.2023. Similarly situated co-accused Manish Pandey @ Naga Pandey has already been granted bail vide order dated 09.07.2021, passed in Cr. Misc. No. 18828 of 2021.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail.



The above named petitioner is directed to be enlarged on bail in connection with Jagdishpur P.S. Case No. 307 of 2019 of 2020 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 Chief Judicial Magistrate VI, Bhojpur, Ara.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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