

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10428 of 2024

Arising Out of PS. Case No.-745 Year-2020 Thana- BETTIAH CITY District- West
Champaran

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Manoj Sharma @ Saurav Son Of Late Chhavilal Sharma Resident Of Village
- Siktaul Police Station - Chilua Tal, District - Gorakhpur (U.P.)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramendra Bharti, Advocate
For the Opposite Party/s : Mr. Shailendra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

3 07-05-2024 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner seeks regular bail in connection with Bettiah (Town) P.S. Case No. 745 of 2020, registered for the offences punishable under Section 392 of the Indian Penal Code.

3. The prosecution case as emerges from the F.I.R. is that the petitioner along with his associates has committed robbery and snatched a sum of Rs. 11,05,000/- on the point of pistol from the informant.

4. The learned counsel for the petitioner submits that the petitioner is innocent and implicated only on the basis of suspicion. He further submits that F.I.R. has been lodged against two unknown persons and there is no Test Identification Parade conducted till date nor any recovery has been made from



the conscious possession of the petitioner. He also submits that the petitioner has been languishing in jail since 19.01.2021. He further submits that similarly situated co-accused persons has already been enlarged on bail by this Court *vide* order dated 14.11.2022 in Cr. Misc. No. 2253 of 2022.

5. It is also stated in paragraph no. 2 of the petition that the petitioner has never moved before this Court for grant of anticipatory bail or regular bail. It has further been stated that the petitioner has earlier been made accused in eleven more cases.

6. However, the learned APP for the State opposes the prayer of the petitioner for bail.

7. Considering the aforesaid facts and circumstances, the petitioner, above-named, is directed to be released on bail on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the Ld. Chief Judicial Magistrate, West Champaran at Bettiah in connection with Bettiah (Town) P.S. Case No. 745 of 2020, on the following conditions:

(i) The petitioner will make himself available for interrogation by a police officer/Court as and when required.

(ii) The petitioner will undertake that investigation/trial will not hamper on account of his absence or non-cooperation. He must be available to the police or the



court whenever his presence is required.

(iii) The petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court below that the petitioner has criminal antecedent other than the disclosed one, the learned court below shall cancel the bail bond of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedent despite his knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, the learned court below shall cancel the bail bond of the petitioner.

8. The application stands allowed, accordingly.

(Jitendra Kumar, J.)

Shoaib/Ravi
Shankar

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