

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2234 of 2022

Arising Out of PS. Case No.-102 Year-2020 Thana- PHULWARIA District- Begusarai

SAKET KUMAR @ CHHOTU Son of Lallan Kuwar @ Lalan Kumar
Resident of Village- Saidpur, Police Station - Gopalpur and District -
Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Kumar No2

For the Opposite Party/s : Mr.Rajendra Singh

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 05-09-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Phulwaria
P.S. Case no. 102 of 2020 registered for the offence under
Sections 392 of the Indian Penal Code.

The accused/petitioner is not named in the F.I.R. and
is in custody since 05.04.2021.

The allegation against the petitioner is to commit
robbery, while committing so, taken away 'Scorpio' belongs to
aunt of the informant.

Learned counsel appearing on behalf of the petitioner



submitted that name of the petitioner surfaced on the basis of confessional statement of co-accused, namely, Gulshan Kumar and in furtherance thereof, nothing incriminating surfaced/recovered during course of investigation, which may connect the petitioner with the present set of robbery. It has further been submitted that the said co-accused person, namely, Gulshan Kumar, has already been granted bail by one of the learned co-ordinate Bench of this Court through Cr. Misc. No. 22532 of 2021 dated 03.09.2021. It is also submitted that petitioner was not put on TIP, as yet. While concluding the argument, it is submitted that investigation of this case has been completed, for which, charge-sheet has already been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, while opposing the prayer of bail, fairly conceded the fact that petitioner is not named in the FIR.

Considering the facts and circumstances as mentioned above, as nothing incriminating surfaced/recovered during course of investigation, which may connect this petitioner with the present set of robbery coupled with the fact that charge-sheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Phulwaria P.S. Case no. 102 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 learned ACJM 1st, Begusarai, subject to the condition as mentioned under Section 437 (3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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