

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5897 of 2022

Arising Out of PS. Case No.-102 Year-2017 Thana- BARURAJ District- Muzaffarpur

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Ramakant Paswan @ Makra S/O Jalandhar Paswan Resident of Village-
Mohabbatpur, P.S.- Deoriya District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr.Dashrath Mehta, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 20-09-2022 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 Baruraj
P.S. Case No. 102 of 2017 registered for the offence under
Section 395 of the Indian Penal Code.

The accused/petitioner is not named in the F.I.R. and
is in custody since 10.06.2021.

The allegation against the petitioner is to commit
dacoity and, while committing so, taken away cash of Rs.
70,000/-, which belongs to 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, Sujeet Kumar, who has already been granted bail by one of the learned Co-ordinate Bench of this Court through Cr. Misc. No. 54609 of 2018 vide order dated 04.09.2018. It is further submitted that recovery of alleged cash was not made, during the course of investigation, which was looted during the occurrence. It is also submitted that petitioner was never put on TIP. While concluding the argument, it is submitted that investigation of this case is complete, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

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

Considering the facts and circumstances as mentioned above, as no incriminating surfaced/recovered, in furtherance of confessional statement, to connect petitioner, prima facie, with alleged dacoity 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 Baruraj P.S. Case No. 102 of 2017 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.1st, West



Muzaffarpur/concerned court, subject to the conditions as laid
down u/s 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

R.S.Sen/-

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