

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9974 of 2022

Arising Out of PS. Case No.-63 Year-2021 Thana- SARAI District- Vaishali

Praveen Kumar Son of Surendra Singh Resident of Village- Sisauni Prabodhi,
P.S. Sarai, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shivjee Singh, Advocate

For the State : Mr. Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 29-11-2022 Heard learned counsel appearing on behalf of the
petitioner and learned APP 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 Sarai P.S.
Case No. 63 of 2021 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 01.01.2022.

The allegation against the petitioner is to commit
dacoity, alongwith 9 to 10 co-accused persons, on the point of
pistol and looted the pick-up van, belongs to the informant,
loaded with tomato and also cash of Rs.10,000/- (Rupees Ten
Thousand).



Learned counsel appearing on behalf of the petitioner submitted that name of the petitioner surfaced in the present case, as accused persons named each other during the course of the occurrence and on the basis of said suspicion, name of the petitioner surfaced in the present case. It is submitted that during the course of investigation, nothing surfaced in furtherance of confession to connect this petitioner, *prima facie*, with the present set of occurrence. It is pointed out that petitioner remanded in the present case from Sarai P.S. Case No. 322 of 2019. It is submitted that petitioner has not been put on T.I.P. as yet. It is also submitted that similarly situated co-accused person has already been granted bail by one of the learned Co-ordinate Bench of this Court through Cr. Misc. No. 48444 of 2021 dated 16.02.2022. While concluding the argument, it is submitted that investigation in this case is complete for which chargesheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State opposes the prayer of bail.

In view of the facts and circumstances, as mentioned above, as nothing incriminating surfaced/recovered during the course of investigation to connect this petitioner, *prima facie*,



with the present set of occurrence coupled with the fact that chargesheet has been submitted, let the petitioner, above named, is directed to be released on bail in connection with Sarai P.S. Case No. 63 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-XVI, Vaishali at Hajipur/concerned Court, subject to the conditions as laid down u/s 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

Ankit/-

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