

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.9877 of 2022**

Arising Out of PS. Case No.-243 Year-2021 Thana- DALSINGHSARAI District- Samastipur

ANKIT KUMAR THAKUR S/O KRISHNAKANT THAKUR RESIDENT  
OF VILLAGE- RAMPUR BAGHEL, WARD NO. 12, P.S.- DISARI,  
DISTRICT- VAISHALI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

**CRIMINAL MISCELLANEOUS No. 12291 of 2022**

Arising Out of PS. Case No.-243 Year-2021 Thana- DALSINGHSARAI District- Samastipur

SUJIT KUMAR JHA @ SONU JHA @ MASTERJEE SON OF PRAMOD  
JHA R/O VILLAGE- MORWA DIH, P.S.- MUSARIGHARARI, DISTRICT-  
SAMASTIPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

(In CRIMINAL MISCELLANEOUS No. 9877 of 2022)

For the Petitioner/s : Mr. Rajeev Ranjan, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Singh, APP

(In CRIMINAL MISCELLANEOUS No. 12291 of 2022)

For the Petitioner/s : Mr. Ashwani Kumar Tiwary, Advocate

For the Opposite Party/s : Mr. Narsingh Tanti, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA**  
**ORAL ORDER**

3      15-11-2022

**IN CR. MISC. NO. 9877 OF 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 Dalsinghsarai P.S. Case No. 243 of 2021 registered for the offence under Sections 394 and 302 of the Indian Penal Code and Section 27 of the Arms Act.

The accused/petitioner is not named in the F.I.R. and is in custody since 21.10.2021.

The allegation against the petitioner is to commit robbery along with other co-accused persons and while committing so, taken away Rs. 4,25,000/- from Sunil Kumar Rai and causing death of two persons namely, Sunil Kumar Rai and Mohd. Pappur @ Md. Anisul Rahman.

Learned counsel appearing on behalf of the petitioner submitted that name of this petitioner surfaced on the basis of confessional statement of one Manish Kumar Singh, who found suspect, as regard to this occurrence from the CCTV footage. It is submitted that informant is appearing eye-witness of this occurrence and under the circumstances, considering the gravity of the occurrence, he must join TIP but same was not conducted, during course of investigation. It is also submitted that nothing incriminating material recovered from the conscious possession of the petitioner, which may connect this petitioner, *prima facie*, with the present set of occurrence. 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 material surfaced/recovered, during course of investigation, which may connect this petitioner, *prima facie*, with the present set of occurrence 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 Dalsinghsarai P.S. Case No. 243 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 A.C.J.M.-1st, Dalsinghsarai, Samastipur/concerned court, subject to the following conditions:

“(i)That petitioner shall not involve in the similar nature of offence till the conclusion of trial, failing which, the State shall be at liberty to move before the Trial Court itself for the cancellation of bail bond of the petitioner.

(ii) Accused/Petitioner shall cooperate in the trial and shall be physically



present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court, only on medical ground of the petitioner duly supported by the documents.

(iii) That one of the bailors of the petitioner shall be deponent of the present bail petition.”

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**(Chandra Shekhar Jha, J)**

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