

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14314 of 2022**

Arising Out of PS. Case No.-193 Year-2021 Thana- PANAPUR District- Saran

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Rohit Kumar Sah Son of Rakesh Sah Resident of Village - Dumari, P.S.-
Taraiya, Distt.- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Dr. Rajesh Kumar Singh, Advocate
For the Opposite Party/s : Mr. APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 02-08-2022 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 Panapur
P.S. Case No. 193 of 2021 registered for the offence under
Section 392 of the Indian Penal Code.

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



is in custody since 02.10.2021.

The allegation against the petitioner is to commit robbery, alongwith other co-accused persons, and while committing so, taken away cash of Rs.4,58,900/- (Rupees Four Lakh Fifty Eight Thousand Nine Hundred) from the informant, which has been collected, during the course of the day, on behalf of the company.

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, Rakesh Sharma. It is submitted that petitioner has never been put on T.I.P. during the course of investigation. It is submitted that cash of Rs.1 Lakh, one bag and two S.B.I. Bank passbooks were recovered from the house of the petitioner. It is further submitted that the alleged recovered cash is without any details and denominations and in the absence thereof, it cannot be connected with the cash, alleged to be looted from the informant during the course of occurrence. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and, moreover, 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, while opposing the prayer of bail, fairly conceded that the recovered cash is without any details and denominations, as per seizure list.

Considering the facts and circumstances as mentioned above, as recovered cash is without any details and denominations, which may connect the petitioner, *prima facie*, with the present set of occurrence coupled with the fact that petitioner is a man of clean antecedent, where chargesheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Panapur P.S. Case No. 193 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 12th Additional Sessions Judge, Saran at Chapra/concerned Court, subject to the following conditions:

“(i) That 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.

(ii) That one of the bailors shall be Rakesh Sah, who is the father of the petitioner and deponent of the present bail petition.”

(Chandra Shekhar Jha, J)

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