

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14189 of 2022

Arising Out of PS. Case No.-9 Year-2021 Thana- ALAMNAGAR District- Madhepura

Vikash Kumar Son of Indrachand Sharma Resident of Village - Ward No.7,
Village - Rajpur Sarsandi, P.s.- Gwalpara, Distt.- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Dr. Mrityunjaya Kr. Gautam, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 31-08-2022 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
Alamnagar P.S. Case No. 9 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 14.06.2021.

The allegation against the petitioner is to commit
robbery, alongwith other co-accused persons, and while
committing so, taken away purse of the informant having
Adhaar card, ATM card, alongwith other valuable documents
and also cash of Rs.1,600/- (Rupees One Thousand Six



Hundred).

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, Vishal Kumar, who was apprehended after one month of this occurrence in Puraini P.S. Case No. 28 of 2021. It is further submitted that in furtherance of said confession, nothing incriminating surfaced/recovered during the course of investigation, which may connect the petitioner, *prima facie*, with the present set of robbery. It is also submitted that petitioner has never been put on T.I.P. 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, while opposing the prayer of bail, fairly conceded that petitioner is not named in the F.I.R.

In view of the facts and circumstances, as mentioned above, as nothing incriminating surfaced/recovered during the course of investigation, which may connect the petitioner, *prima facie*, with the present set of robbery coupled with the fact that chargesheet has already been submitted, let the petitioner, above



named, is directed to be released on bail in connection with
Alamnagar P.S. Case No. 9 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, Udakishunganj, Madhepura/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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