

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15570 of 2022

Arising Out of PS. Case No.-896 Year-2020 Thana- MADHEPURA District- Madhepura

Gopal Yadav @ Gopal Kumar Son of Satyendra Yadav @ Suchind Yadav
Resident of Village - Lalpur, P.S.- Singheshwar, District - Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Chand Prasad, Advocate

For the Opposite Party/s : Mr. Anant Kumar 1, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 17-08-2022 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
Madhepura P.S. Case No. 896 of 2020 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 07.06.2021.

The allegation against the petitioner is to commit
robbery and while committing so taken away the valuables,
biometric equipments and cash of Rs. 2500/- (Rupees Two
Thousand Five Hundred) of 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, Sandeep Kumar @ Pehalwan, leading no recovery, which may incriminate or connect the petitioner with the present set of occurrence. It has further been submitted that the said co-accused, namely, Sandeep Kumar has already been granted bail by a learned Co-ordinate Bench of this Court through Cr. Misc. No. 61948 of 2021 dated 25.03.2022. 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, while opposing the prayer of bail, fairly conceded the fact that name of the petitioner surfaced on behalf of confessional statement of co-accused.

Considering the facts and circumstances as mentioned above, as name of the petitioner surfaced on the basis of confessional statement of co-accused, namely, Sandeep Kumar and nothing surfaced/recovered during the course of investigation, which may incriminate the petitioner with the present set of occurrence, let the petitioner, above named, is directed to be released on bail in connection with Madhepura



P.S. Case No. 896 of 2020 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, 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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