

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19061 of 2022

Arising Out of PS. Case No.-251 Year-2021 Thana- DAUDPUR District- Saran

RAJIV KUMAR SINGH S/o Akhilesh Singh Resident of Village- Cheful,
P.S.- Manjhi, Dist- Saran at Chapra.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dewendra Narayan Singh
For the Opposite Party/s : Mr.Amitesh Kumar

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 02-09-2022 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 Daudpur
P.S. Case No. 251 of 2021 registered for the offence under
Sections 392 of the Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in
custody since 19.10.2021.

The allegation against the petitioner is to commit
robbery and while committing so, taken away cash of Rs.
55,000/- and bag containing valuable documents, ATM Card,
PAN Card, Aadhar Card, owner card of vehicle, passbooks of
SBI and Post Office, etc. along with other co-accused persons,
belongs to informant.



Learned counsel appearing on behalf of the petitioner submitted that petitioner has been named in the case on the basis of identification revealed by unknown villagers and passer-by. It is also submitted that petitioner was not put on TIP, as yet. It is also submitted that no incriminating surfaced/recovered during course of investigation from the physical possession of the petitioner to connect the petitioner, *prima-facie*, with the present set of robbery. It is also submitted that implication is due to criminal antecedent, as the petitioner involved in 07 more criminal cases, where in one case, he has already been acquitted and in 6 cases, he is on bail. 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 identification of petitioner is on the basis of unknown villagers/passers-by, as per FIR.

Considering the facts and circumstances as mentioned above, as source of identification is unknown villagers, where petitioner was never put on TIP 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 Daudpur P.S. Case No. 251 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 Judicial Magistrate 1st Class, Saran at Chapra, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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