

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24267 of 2022

Arising Out of PS. Case No.-231 Year-2020 Thana- JADIA District- Supaul

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PAPPU YADAV @ PAPPU KUMAR S/o Gajendra Yadav R/o village-
Tamua, P.S.- Chhatapur, District- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Prasad Singh, Advocate

For the Opposite Party/s : Mr. Naveen Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 02-09-2022 Heard learned counsel appearing on behalf of the

petitioner and learned counsel appearing on behalf of the State

through virtual court proceedings.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Jadia P.S.
Case No. 231 of 2020 registered for the offence under Sections
394, 397 and 34 of the Indian Penal Code.

The accused/petitioner is not named in the F.I.R. and
is in custody since 16.10.2021.

The allegation against the petitioner is to commit
robbery, along with other co-accused persons and while
committing so, taken away cash of Rs. 11,850/- from one of the
co-worker of the informant and during the course of the same



also alleged to cause firearm's injury.

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, Rupesh Kumar, who has already been granted bail by one of the learned co-ordinate Bench of this Court through Cr. Misc. No. 49086 of 2021 vide order dated 17.12.2021 and moreover, in furtherance of said confessional statement, no incriminating material recovered/surfaced during the course of investigation which may connect the petitioner, *prima facie*, with present set of robbery. It is submitted that petitioner has been remanded in the present case from Jadia P.S. Case No. 24 of 2021. It is also submitted that petitioner was never put on TIP. While concluding the argument, it has been submitted that investigation of this case is complete, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, while opposing the prayer of bail, fairly conceded that petitioner is not named in the FIR.

Considering the facts and circumstances as mentioned above, as no incriminating material surfaced during the course of investigation to connect petitioner with present 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 Jadia P.S. Case No. 231 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 Additional District and Sessions Judge 1st -cum-Special Judge, Supaul/concerned court, subject to the following conditions:

(i) 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 Gajendra Yadav, who is the father of the petitioner and deponent of the present bail petition.”

(Chandra Shekhar Jha, J)

R.S.Sen/-

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