

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38389 of 2022**

Arising Out of PS. Case No.-18 Year-2022 Thana- JAGDISHPUR District- Bhagalpur

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Ajeet Kumar Son of Dinesh Prasad Singh R/O Village- Singhanan, P.S.-
Rajoun, District- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manoj Kumar Jha, Advocate

For the Opposite Party/s : Mr.Ashok Kumar Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER**

3 17-11-2022 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
Jagdishpur P.S. Case No. 18 of 2022 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 14.01.2022.

The allegation against the petitioner is to commit
robbery and, while committing so, taken away cash of Rs.
71,585/- along with laptop and adharcard including certain
valuable documents belong to the informant, along with other
co-accused persons.



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, Jayant Kumar, and in furtherance of no incriminating material surfaced/recovered, during the course of investigation, which may connect this petitioner with the present set of occurrence/robbery. It is further submitted that only incriminating evidence what surfaced during the course of investigation that this petitioner along with co-accused, Jayant Kumar, was identified while in police custody which is of no bearing and cannot be equated as TIP, as same was conducted by ignoring the settled norms prescribed in this regard. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and, moreover, 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 the fact that petitioner is not named in the FIR.

Considering the facts and circumstances as mentioned above, as no incriminating material recovered/surfaced from the possession of this petitioner which was alleged to be looted in the background of the fact that TIP was not conducted as per



prescribed/settled norms 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 Jagdishpur P.S. Case No. 18 of 2022 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, Bhagalpur/concerned court, subject to the conditions as laid down u/s 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

R.S.Sen/-

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