

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38366 of 2022**

Arising Out of PS. Case No.-20 Year-2022 Thana- RANIGANJ District- Araria

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Gabbar Yadav @ Bambam Kumar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjeet Choubey, Advocate

For the Opposite Party/s : Mr. Anand Kishore Choudhary, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA

ORAL ORDER

2 23-09-2022 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 Raniganj P.S. Case No. 20 of 2022 registered for the offence under Section 392 of I. P.C. and u/s 27 of the Arms Act.

The accused/petitioner is not named in the F.I.R. and is in custody since 20.04.2022.

The allegation against the petitioner is to commit robbery and while committing so taken away cash of Rs. 3,94,000/- and one mobile belongs to the informant, along with



other co-accused persons.

Learned counsel appearing on behalf of the petitioner submitted that the name of petitioner surfaced on the basis of confessional statement of co-accused, namely, Robin Kumar where, nothing incriminating surfaced/recovered during the course of investigation, which may connect this petitioner, *prima facie*, with alleged occurrence of robbery. It is also submitted that petitioner was not put on TIP, as yet. It is further pointed out that the petitioner is involved in one more Cr. case, where, he is on bail. While concluding the argument, it is submitted that investigation of this case has been completed, for which charge-sheet has been submitted, as such, there is no chance of tempering with the evidence.

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

Considering the facts and circumstances as mentioned above, as nothing incriminating surfaced/recovered in furtherance of confessional statement of co-accused, which may connect this petitioner with present set of occurrence of robbery coupled with the fact that charge-sheet has been submitted, let the petitioner, above named, is directed to be released on bail in connection with Raniganj P.S. Case No. 20 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 A.C.J.M, Araria/concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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