

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39472 of 2022**

Arising Out of PS. Case No.-45 Year-2014 Thana- JALALPUR District- Saran

=====

SUNNY KUMAR @ SONA SON OF SHILANATH SAH R/O VILLAGE-
NOOR NAGAR, P.S.- JALALPUR, DISTRICT- SARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Shubhesh Pandey, Advocate

For the Opposite Party/s : Mr. AC to AG

=====

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 13-10-2022 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.

Learned counsel for the petitioner is permitted to
make necessary correction in satisfaction portion of the present
bail petition, during course of day.

The petitioner seeks bail in connection with Jalalpur
P.S. Case No. 45 of 2014 registered for the offence under
Sections 394 and 34 of the Indian Penal Code and Section 27 of
the Arms Act.

The accused/petitioner is not named in the F.I.R. and
is in custody since 02.08.2021.

The allegation against the petitioner is to commit



robbery and while committing so, taken away total cash of Rs. 46,00/-, one gold chain, two gold rings, ATM cards, PAN card, etc., belongs to informant and his brother.

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, Jai Prakash Rai @ Churi, in furtherance thereof, nothing incriminating material surfaced/recovered, during course of investigation, which may connect this petitioner, *prima-facie*, with the present set of robbery. It is further submitted that the said co-accused, namely, Jai Prakash Rai @ Churi has already granted bail by one of learned co-ordinate Bench of this Court through Cr. Misc. No. 24420 of 2015 dated 17.07.2015. It is pointed out by learned counsel for the petitioner that petitioner is involved in 04 (four) criminal cases, where, he is on bail. While concluding the argument, it has been submitted that petitioner was not put on TIP, as yet and moreover, 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 petitioner is not named in FIR.

Considering the facts and circumstances as mentioned



above, as nothing incriminating material surfaced/recovered during course of investigation, which may connect this petitioner, *prima-facie*, with the present set of robbery 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 Jalalpur P.S. Case No. 45 of 2014 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned J.M. 1st Class, Saran at Chapra/concerned court, subject to the condition as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

S.Katyayan/-

U		T	
---	--	---	--

