

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44675 of 2022

Arising Out of PS. Case No.-238 Year-2021 Thana- THAWE District- Gopalganj

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Rajnish Kumar Giri Son of Vijay Giri @ Bijay Giri R/O Village- Kail Khurd,
P.S.- Barharia, Distt.- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bijay Prakash Singh, Advocate

For the Opposite Party/s : Mr.Akshay Lal Pandit, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 22-12-2022 Heard learned counsel appearing on behalf of the

petitioner and learned APP 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 Thawe
P.S. Case No. 238 of 2021 registered for the offence under
Sections 392 and 411 of the Indian Penal Code.

The accused/petitioner is not named in the F.I.R. and
is in custody since 16.02.2022.

The allegation against the petitioner is to commit
robbery, along with other co-accused persons, and while
committing so, taken away one motorcycle which belongs to the
informant.

Learned counsel appearing on behalf of the petitioner



submitted that name of the petitioner surfaced on the basis of self confession, while apprehending in Thawe P.S. Case No. 226 of 2021. It is submitted that no incriminating material, as alleged to be looted, recovered from the possession of this petitioner. It is further submitted that petitioner was not put on TIP, as yet. It is also submitted that as petitioner found involved in five (5) more criminal cases, where he is on bail in three (3) cases, a suspicion arises out of said criminal antecedents leading involvement of petitioner in present case also without having any basis, where in maximum of the cases, name of the petitioner surfaced on the basis of self-confession/confessional statement, as of present. While concluding the argument, it is submitted that investigation in this case is complete, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State opposes the prayer of bail.

In view of the facts and circumstances, as mentioned above, as no incriminating material recovered from the possession of this petitioner, which may connect petitioner with the present set of occurrence/robbery, where petitioner is in custody since 16.02.2022 coupled with the fact that chargesheet



has been submitted, let the petitioner, above named, is directed to be released on bail in connection with Thawe P.S. Case No. 238 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, Gopalganj/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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