

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44154 of 2022

Arising Out of PS. Case No.-23 Year-2022 Thana- BARHAT District- Jamui

Sumant Kumar Pandey S/o Pramod Pandey R/o village- Dumarkola, P.S.-
Khaira, District- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satya Prakash Parasar, Advocate
For the Opposite Party/s : Mr.APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 25-11-2022 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 Barhat
P.S. Case No. 23 of 2022 registered for the offence under
Sections 399 and 402 of the Indian Penal Code and Sections
25(1-b)A, 26 and 35 of the Arms Act.

The accused/petitioner is named in the F.I.R. and is in
custody since 12.03.2022.

The allegation against the petitioner is to preparation
for dacoity, along with other co-accused persons.

Learned counsel appearing on behalf of the petitioner



submitted that petitioner has falsely been implicated in the present case, as no incriminating material was found in the possession of this petitioner in support of allegation or which may suggest that the petitioner was participated in preparation of dacoity. It is submitted that only mobile phone and Rs. 25,000/- cash was recovered from the possession of this petitioner which belongs to him, as per Annexure-2 of the present bail petition. It is further submitted that similarly situated co-accused, Roshan Kumar, has already been granted bail by one of the learned Co-ordinate Bench of this Court through Cr. Misc. No. 37330 of 2022 vide order dated 22.09.2022. It is also submitted that prior to this occurrence petitioner was a man of clean antecedent, but subsequently petitioner named in two criminal cases of almost in similar nature. While concluding the argument, it is 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 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 suggest that petitioner participated in preparation for dacoity, as alleged 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 Barhat P.S. Case No. 23 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 Judicial Magistrate-1st Class, Jamui/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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