

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44010 of 2022

Arising Out of PS. Case No.-213 Year-2021 Thana- PURAINI District- Madhepura

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Kailash Kumar @ Kaila Kumar Son of - Antu Singh @ Anant Lal Singh @
Antlal Singh Resident of Village - Puraini, P.s.-Puraini, District - madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pawan Kumar, Advocate

For the State : Mr. Damodar Prasad Tiwary, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 18-11-2022 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 Puraini
P.S. Case No. 213 of 2021 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 09.01.2022.

The allegation against the petitioner is to commit
robbery, and while committing so, taken away two mobile sets,
cash of Rs. 1,200/- (Rupees One Thousand Two Hundred) and
one motorcycle belongs to the informant, alongwith other co-
accused persons.



Learned counsel appearing on behalf of the petitioner submitted that the petitioner is not named in F.I.R., and name of the petitioner surfaced during the course of investigation, as the SIM, which was issued in favour of his brother, was utilized in alleged stolen mobile set. It is submitted that the alleged recovered looted mobile was purchased by the petitioner in good faith from one co-villager, namely, Dilkhush Kumar. It is further pointed out that the petitioner or even the recovered mobile was not put on T.I.P as yet to connect this petitioner or recovered mobile with the present occurrence. While concluding the argument, it is submitted that investigation in this case is complete for which chargesheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State, while opposing the prayer of bail, submitted that the alleged looted mobile was recovered from the petitioner.

In view of the facts and circumstances. as mentioned above, as petitioner alongwith looted mobile was not put on T.I.P. coupled with the fact that chargesheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Puraini P.S. Case No. 213 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, Udakishunganj, District- Madhepura/concerned Court, subject to the conditions as laid down u/s 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

Ankit/-
S.Tripathi/-

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