

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53682 of 2022

Arising Out of PS. Case No.-410 Year-2021 Thana- PURNEA SADAR District- Purnia

Pawan Kumar Das Son of Viveka Nand Das R/O Village- Simal Gachi, P.S.-
Sadar, District- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Dr. Bidhu Ranjan, Advocate

For the Opposite Party/s : Mr. Arun Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 07-12-2022 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.

The petitioner seeks bail in connection with Purnea
Sadar P.S. Case No. 410 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 29.06.2022.

The allegation against the petitioner is to commit
robbery, alongwith other co-accused persons and while
committing so taken away jewellery, mobile phone and cash of
Rs. 40,000/- belongs to the informant.

Learned counsel appearing on behalf of the petitioner



submitted that the name of petitioner surfaced on the basis of confessional statement of co-accused Abhinandan Mahaldar, in furtherance of which no incriminating recovered/surfaced during the course of investigation, which may connect this petitioner with present set of robbery. It is further submitted that petitioner was not put on TIP, as yet. It is submitted that petitioner has been remanded in this case from Purnea Sadar P.S. Case No. 440 of 2021. It is also submitted that subsequent of present case, petitioner was involved in one criminal case having no bearing over the merit of present case. While concluding the argument, it has been submitted that investigation has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

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

Considering the facts and circumstances as mentioned above, as nothing incriminating surfaced, during the course of investigation, which may connect this petitioner with present set 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 Purnea Sadar P.S. Case No.



410 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, Purnea/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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