

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.67692 of 2021**

Arising Out of PS. Case No.-86 Year-2021 Thana- GOPALPUR District- Patna

SUJEET KUMAR S/o Sanjay sao Resident of Rajeev Nagar, Road No. 23, In front of C.B. Community Hall, P.S. Rajiv Nagar, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Ashok Kumar Jha, Advocate

For the Opposite Party/s : Md. Fahimuddin, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA**  
**ORAL ORDER**

3      06-07-2022                      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 Gopalpur P.S. Case No.86 of 2021 registered for the offence under Section 392 of the I.P.C.

The accused/petitioner is not named in the F.I.R. and is in custody since 10.04.2021.

The allegation against the petitioner is to commit robbery and while committing so taken away motorcycle, cash of Rs. 250/-, mobile and other valuables of the informant.

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, Mantu Kumar, who has already been granted bail by a learned co-ordinate Bench through Cr. Misc. No. 8571 of 2022 dated 29.06.2022. It has further been submitted that the petitioner is involved in 02 other criminal cases, in which, he is on bail. While concluding the argument, it has been submitted that investigation has been completed, for which, charge-sheet has already been submitted in this case, 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 the FIR.

Considering the facts and circumstances as mentioned above, as name of the petitioner surfaced on the basis of confessional statement of the co-accused, leading no recovery, which may implicate the petitioner with the present set of occurrence, coupled with the fact that charge-sheet has already been submitted in this case, let the petitioner, above named, is directed to be released on bail in connection with Gopalpur P.S. Case No.86 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 A.C.J.M. IXth, Patna, subject to the following conditions:



*“(i)That petitioner shall not involve in the similar nature of offence till the conclusion of trial, failing which, the State shall be at liberty to move before the Trial Court itself for the cancellation of bail bond of the petitioner.*

*(ii) Accused/Petitioner shall cooperate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court, only on medical ground of the petitioner duly supported by the documents.*

*(iii) That one of the bailors shall be Poonam Devi, who is the sister of the petitioner and deponent of the present bail petition.”*

**(Chandra Shekhar Jha, J)**

S.Katyayan/  
R.S. Sen/-

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