

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69110 of 2021

Arising Out of PS. Case No.-590 Year-2020 Thana- MADHAURAH District- Saran

Amit Kumar Son of Nandkishor Sah Resident of Village - Mahuli, P.s.-
Isuapur, Distt.- Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dewendra Narayan Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 26-11-2022 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
Marhowrah P.S. Case No. 590 of 2020 registered for the offence
under Sections 392 of the Indian Penal Code.

The accused/petitioner is not named in the F.I.R. and
is in custody since 28.07.2021.

The allegation against the petitioner is to commit
robbery, along with other co-accused persons, and while
committing so taken away 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 apprehended in Moarhowrah P.S. Case No. 36 of 2021 in furtherance thereof, no incriminating material recovered/surfaced, during the course of investigation, to connect this petitioner, *prima facie*, with the present set of occurrence/robbery. It is submitted that petitioner was not put on TIP, as yet. It is further submitted that prior to this occurrence, the antecedent of this petitioner was clean but subsequent of this occurrence, he was named in three (3) more criminal cases on the basis of confessional statement/self-confession as of the present case having otherwise no bearing over the merit of this case. 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, while opposing the prayer of bail, fairly conceded that petitioner is not named in the FIR.

Considering the facts and circumstances as mentioned above, as no incriminating material recovered/surfaced, during the course of investigation to connect this petitioner, *prima facie*, with the present set of occurrence/robbery 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 Marhowrah P.S. Case No. 590 of 2020 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saran at Chapra/concerned court, subject to the conditions as laid down under Section 437(3) of the Cr.P.C .

(Chandra Shekhar Jha, J)

R.S.Sen/-

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