

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69113 of 2021**

Arising Out of PS. Case No.-272 Year-2021 Thana- LALGANJ District- Vaishali

=====

ABHISHEK KUMAR Son of Suresh Baitha @ Munni Baitha Resident of
Village - Jalalpur, P.S.- Lalganj, District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Shyameshwar Kumar Singh, Advocate

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

=====

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

3 15-10-2022 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 Lalganj
P.S. Case No. 272 of 2021 registered for the offence under
Section 392 of the Indian Penal Code and Section 27 of the
Arms Act.

The accused/petitioner is not named in the F.I.R. and
is in custody since 13.08.2021.

The allegation against the petitioner is to commit
robbery and while committing so, taken away Rs. 12,00,550/-
(Rupees Twelve Lac Five Hundred and Fifty Only) from
informant, who is cashier of petrol pump.



Learned counsel appearing on behalf of the petitioner submitted that name of the petitioner surfaced, during course of investigation, on the basis of confessional statement of co-accused, Raja Kumar, where, no incriminating material surfaced/recovered to connect this petitioner, *prima facie*, with the present set of robbery. It is also pointed out that petitioner was not put on TIP, as yet. It is further pointed out that recovered cash of Rs. 2,000/- (Rupees Two Thousand Only), belongs to the petitioner and it is not possible to get it matched with currency note which alleged to looted in want of any details and denomination. While concluding the argument, it is submitted that investigation of this case has been completed, for which, charge-sheet has already been submitted, 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 recovery of alleged note/currency is without details and denomination to connect with alleged looted cash/currency note, where, petitioner is in custody since 13.08.2021 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 Lalganj P.S. Case No. 272 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 C.J.M., Vaishali at Hajipur/concerned court, subject to
the condition as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

S.Katyayan/-

U		T	
---	--	---	--

