

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.573 of 2022

Arising Out of PS. Case No.-463 Year-2021 Thana- MUZAFFARPUR TOWN District-
Muzaffarpur

=====

Sidharth Kumar @ Raju S/o Nagendra Sah R/o Village- Kolhua, Paigampur,
New Police Line, P.S.- Ahiyapur, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Amit Kumar Rakesh, Advocate
For the Opposite Party/s : Mr. Tarun Prasad Mandal, APP

=====

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 26-07-2022 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 Town P.S.

Case No. 463 of 2021 registered for the offence under Sections

394 and 412 of the Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in

custody since 02.08.2021.

The allegation against the petitioner is to commit

robbery in the shop of the informant alongwith other co-accused

persons and while committing so taken away silver

jewellery/ornament.



Learned counsel appearing on behalf of the petitioner submitted that name of the petitioner surfaced on the basis of disclosure made by the apprehended co-accused, namely, Chhotu Kumar. It has been submitted that no incriminating material/alleged stolen silver jewelry/ornament recovered from the possession of the petitioner so as to connect the petitioner with present occurrence of robbery. It has further been submitted that subsequent of the present case, the name of the petitioner surfaced in two cases of similar nature on the basis of confessional statement of co-accused, as of present. 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 the fact that recovery of looted silver jewelry/ornament is from the possession of the co-accused, namely, Chhotu Kumar, as per seizure list.

Considering the facts and circumstances as mentioned above, as stolen silver jewelry/ornament not recovered from the possession of the petitioner 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 Town P.S. Case No. 463 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 Chief Judicial Magistrate, Muzaffarpur/concerned court, subject to the following conditions:

“(i) 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.

(ii) That one of the bailors shall be Nagendra Sah, who is the father of the petitioner and deponent of the present bail petition.”

(Chandra Shekhar Jha, J)

R.S.Sen/-

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

