

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.423 of 2022

Arising Out of PS. Case No.-229 Year-2020 Thana- KHODAWANDPUR District- Begusarai

Pappu Kumar @ Pappu Yadav @ Mycle @ Mykal @ Khukhurva @
Khurkhurva S/o Hareram Yadav R/o Vill- Israha, P.S.- Khodawandpur
(Chhaurahi), Dist- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Kumar Binode Bariar, Advocate
	:	Mr. Rananjay Kumar, Advocate
For the State	:	Mr. Aditya Narayan Singh.1, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 29-08-2022 Heard learned counsel appearing on behalf of the
petitioner and learned APP 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
Khodawandpur P.S. Case No. 229 of 2020 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 02.12.2020.

The allegation against the petitioner is to commit
robbery, and while committing so, taken away pick-up van of
the informant, alongwith other co-accused persons.

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, Vikas @ Ballu Rai and in furtherance of the said confession, nothing incriminating recovered/surfaced during the course of investigation, which may connect the petitioner, *prima facie*, with the present set of robbery. It is further submitted that petitioner has never been put on T.I.P. It is also submitted that similarly situated co-accused person, namely, Manish Kumar Malakar has already been granted bail by one of the learned Co-ordinate Bench of this Court through Cr. Misc. No. 45760 of 2021 dated 15.11.2021. While concluding the argument, it is submitted that investigation in this case is complete for which chargesheet has been submitted, as such, there is no chance of tampering with the evidence.

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

Considering the facts and circumstances as mentioned above, as nothing incriminating recovered/surfaced in furtherance of the confessional statement of co-accused, which may connect the petitioner, *prima facie*, with the present set of robbery coupled with the fact that chargesheet has already been



submitted, let the petitioner, above named, is directed to be released on bail in connection with Khodawandpur P.S. Case No. 229 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 Sub Divisional Judicial Magistrate, Manjhaul, Begusarai/concerned Court, subject to the conditions as laid down u/s 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

Ankit/-

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