

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5868 of 2023

Arising Out of PS. Case No.-212 Year-2022 Thana- LAUKAHA District- Madhubani

Sudrist Kumar Son of Ram Sri Ram Gulam Singh R/O Village- Suki, P.S.-
Khajauli, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Md. Soban Asghar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 09-05-2023 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 Laukaha
P. S. Case No. 212 of 2022 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 04.08.2022.

The allegation against the petitioner is to commit
robbery, along with other unknown co-accused persons, and
while committing so, taken away cash of Rs. 5,64,000/- from
the possession of informant, while informant was on way to
bank for depositing alleged looted cash.



Learned counsel appearing on behalf of the petitioner submitted that name of the petitioner is surfaced on the basis of confessional statement of co-accused, namely, Kuldeep Yadav, during the course of investigation, where no incriminating material surfaced/recovered, which may connect petitioner, *prima facie*, with present occurrence of robbery. It is further submitted that petitioner was not put on TIP, as yet. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and, moreover, investigation of this case is completed, for which, charge-sheet has 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 and by taking note of the fact, save and except confession, nothing incriminating appears against this petitioner to connect him, *prima facie*, with the present occurrence of robbery, where petitioner is in custody since 04.08.2022 coupled with the fact that charge-sheet has already submitted, let the petitioner, above named, is directed to be released on bail in connection with Laukaha P. S. Case No. 212 of 2022 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,
Jhanjharpur/concerned Court, subject to the following
conditions as mentioned 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

R.S.Sen/-

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