

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32580 of 2023**

Arising Out of PS. Case No.-72 Year-2022 Thana- NARAINPUR District- Bhojpur

SUBHASH KUMAR S/O- VINOD SINGH Village- Saidanpur Ps- Taran
Dist- Bhojpur Ara

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Malti Kumari, Advocate

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

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

3 17-07-2023 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

2. Let the defect(s), if any, be removed within a period
of four weeks from today.

3. The certified copy of F.I.R. has submitted during
the course of hearing, which has been taken on record.

4. The petitioner seeks bail in connection with
Narayanpur P.S. Case No. 72 of 2022 registered for the offence
under Section 392 of the Indian Penal Code.

5. The accused/petitioner is not named in the F.I.R.
and is in custody since 24.07.2022.

6. The allegation against the petitioner is to commit
robbery and while committing so taken away mobile, ATM card
of Punjab Bank, helmet and Rs. 1,000/- (Rupees One Thousand



only) cash belongs to informant.

7. Learned counsel appearing on behalf of the petitioner submitted that name of petitioner surfaced on the basis of confessional statement of co-accused Hema Kumar, in furtherance of which no incriminating material recovered/surfaced as to connect petitioner, *prima facie*, with present occurrence of robbery. It is submitted that petitioner was not put on TIP, as yet. While concluding the argument, it has been submitted that petitioner found involved in three more criminal cases, where in almost all cases, his name surfaced on the basis of confessional statement as of the present case and moreover, investigation of this case has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

8. Learned APP opposes the prayer of bail.

9. Considering the facts and circumstances as mentioned above and by taking note of the fact as save and except confessional statement no incriminating material recovered/surfaced as to connect petitioner, *prima facie*, with present occurrence of robbery coupled with the fact that charge-sheet has been submitted, where petitioner is in custody since 24.07.2022, accordingly, above named petitioner is directed to



be released on bail in connection with Narayanpur P.S. Case No. 72 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IV, Bhojpur, Ara/concerned court, subject to the conditions as mentioned under Section 437 (3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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