

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23054 of 2023

Arising Out of PS. Case No.-124 Year-2022 Thana- BAUNSI District- Araria

VIKRAM GOSWAMI Son of Shri Suryanand Goswami Resident of Village -
Gidhwas, Ward No.- 6, P.S.- Raniganj, District - Araria.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Sharma, Advocate

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

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 27-07-2023 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 petitioner seeks bail in connection with Bausi
P.S. Case No. 124 of 2022 registered for the offence under
Section 394 of the Indian Penal Code and Section 27 of the
Arms Act and later on Section 302 of the Indian Penal Code
added.

4. The accused/petitioner is not named in the F.I.R.
and is in custody since 09.12.2022.

5. The allegation against the petitioner is to commit
robbery alongwith other co-accused persons and while
committing so taken away cash of Rs. 50,000/- which was in



possession of informant.

6. Learned counsel appearing on behalf of the petitioner submitted that the name of petitioner surfaced during the course of investigation on the basis of confessional statement of co-accused, namely, Md. Tanvir, where in furtherance of no incriminating material recovered/surfaced as to connect petitioner *prima facie* with the present occurrence of robbery. It is also pointed out that petitioner not put on TIP. While concluding the argument, it is submitted that petitioner found involved in two more criminal cases, where he is on bail and moreover, investigation of this case is completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, opposes the prayer of bail.

Considering the facts and circumstances as mentioned above as save and except suspicion arises out of 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 already submitted, where petitioner is in custody since 09.12.2022, accordingly, petitioner above named, is directed to be released on bail in connection with Bausi P.S. Case No. 124 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 Chief Judicial Magistrate, Araria/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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