

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29831 of 2023

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

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Baddu @ Luv Kumar, Son of Mithlesh Singh @ Pinky Singh, Resident of
Village - Diliya, P.S. - Tarari, Distt. - Bhojpur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Advocate

For the Opposite Party/s : Mr. Choubey Jawahar, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 20-07-2023 Learned counsel for the petitioner submitted the corrected order of B.P. No.7696 of 2022 dated 17.03.2023 before this Court during the course of hearing itself. Let the same be taken on record. It is also submitted that copy of the said corrected order also sent in the office through e-mail.

2. Considering the submissions, let the defect, as pointed out by the office, at sl. no. 6(i) be ignored for the present. So far as remaining defects are concerned, learned counsel for the petitioner is permitted to remove the same during course of the day itself.

3. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

4. The accused/petitioner seeks bail in connection with Naraianpur P.S. Case No.72 of 2022 registered for the



offence punishable under Section 392 of the Indian Penal Code.

5. The accused/petitioner is not named in the FIR and is in custody since 07.11.2022.

6. The allegation against the petitioner is to commit robbery and while committing so, taken away mobile, ATM card of Punjab National Bank, helmet and Rs.1,000/- 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, namely, 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 argument, it is submitted that petitioner found involved in one more criminal case, where he is on bail 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 for grant of bail to the petitioner.

9. In view of above-mentioned facts and



circumstances, 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 already submitted, where petitioner is in custody since 07.11.2022, accordingly, the petitioner, above-named, is directed to be released on bail furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-6th, Bhojpur at Ara in connection with Naraianpur P.S. Case No.72 of 2022, subject to the conditions as laid down under Section 437(3) of the CrPC.

(Chandra Shekhar Jha, J.)

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