

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22626 of 2023**

Arising Out of PS. Case No.-278 Year-2022 Thana- MAHNAR District- Vaishali

Raja Kumar, S/o Kameshwar Ram, Resident of Village-Shekhopur, P.S.-
Desari (Sahei O.P.), in the District- Vaishali.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

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

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

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

3 02-08-2023 Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

2. The accused/petitioner seeks bail in connection
with Mahnar P.S. Case No.278 of 2022 registered for the
offence punishable under Section 394 of the Indian Penal Code.

3. The accused/petitioner is not named in the FIR and
is in custody since 18.11.2022.

4. Allegation against the petitioner is to commit
robbery and while committing so, looted one motorcycle,
mobile phone and cash of Rs.600/-, which were in possession of
informant during the course of occurrence.

5. It is submitted by learned counsel that the name of
petitioner surfaced on the basis of confessional statement of co-



accused Sonu Kumar, in furtherance thereof, no incriminating material recovered/surfaced as to connect him *prima facie* with present occurrence of robbery. Petitioner not put on TIP, as yet. While concluding argument, it is submitted that the petitioner found involved in one more criminal case, where he is on bail and moreover investigation of this case is completed, for which, charge-sheet has been submitted and, as such, there is no chance of tampering with the evidence.

6. Learned APP opposes the prayer for grant of bail to the petitioner.

7. In view of above-mentioned facts and circumstances and by taking note of fact as save and except suspicion arises out of confessional statement of co-accused, nothing incriminating surfaced during the course of investigation as to connect the petitioner *prima facie* with present occurrence of robbery, coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 18.11.2022, 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 Chief Judicial Magistrate, Vaishali at Hajipur in connection with Mahnar P.S.



Case No.278 of 2022, subject to the conditions as laid down
under Section 437(3) of the CrPC.

(Chandra Shekhar Jha, J.)

Sanjeet/-

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