

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25614 of 2023

Arising Out of PS. Case No.-115 Year-2016 Thana- MOKAMAH District- Patna

Deepak Pandey @ Vishal Pandey, son of Arvind Pandey, resident of Village-
Sokahara Bus stand (Barauni), P.S.- Fulwariya, Dist- Begusarai

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

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

For the Opposite Party/s : Mr. Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 17-07-2023 Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

2. The accused/petitioner seeks bail in connection
with Kokama P.S. Case No.115 of 2016 registered for the
offence punishable under Section 392 of the Indian Penal Code.

3. The accused/petitioner is not named in the FIR and
is in custody since 03.09.2022.

4. Allegation against the petitioner is to commit
robbery along with other unknown accused persons and while
committing so, taken away a bag containing Rs.2,30,000/- and
Rs. 2,50,000/- belongs to the informant, which was immediately
withdrawn from Punjab National Bank, Mokama Bazar and post
office.

5. It is submitted by Mr. N.K. Agrawal, learned senior



counsel appearing on behalf of the petitioner that the name of petitioner surfaced during the course of investigation on the basis of confessional statement of co-accused, Kundan, in furtherance thereof, no incriminating material recovered/surfaced during the course of investigation as to connect the petitioner *prima facie* with present occurrence of robbery. Petitioner was not put on Test Identification Paraded as yet. While concluding argument, it is submitted that the petitioner was 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 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 confessional statement of co-accused, nothing incriminating appears 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 03.09.2022, 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.-IV, Barh, Patna in connection with Mokama P.S. Case No.115 of 2016, subject to the conditions as laid down under Section 437(3) of the CrPC.

(Chandra Shekhar Jha, J.)

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