

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24427 of 2023

Arising Out of PS. Case No.-104 Year-2022 Thana- KHAIRA District- Jamui

Sintu Mandal @ Sintu Kumar, Son of Banarasi Mandal, Resident of Village-
Kendih, PS- Khaira, Dist- Jamui.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Dipak Kumar, Advocate
For the Opposite Party/s : Mr. Binod Kumar, 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 Khaira P.S. Case No.104 of 2022 registered for the
offences punishable under Sections 394 of the Indian Penal
Code, but the cognizance has been taken under Sections 395 and
412 of the Indian Penal Code.

3. The accused/petitioner is not named in the FIR and
is in custody since 05.12.2022.

4. Allegation against the petitioner is to commit
dacoity along with other co-accused persons and while
committing so, looted cash of Rs.2 lakhs belongs to informant.

5. It is submitted by learned counsel that name of
petitioner surfaced on the basis of confessional statement of co-
accused, Sumant Kumar Pandey, where in furtherance thereof,



no incriminating material recovered/surfaced during the course of investigation as to connect the petitioner *prima facie* with present occurrence of dacoity. It is submitted that said co-accused, Sumant Kumar Pandey has already granted bail by one of the learned co-ordinate Bench of this Court vide order dated 28.03.2023 passed in Cr. Misc. No.1110 of 2023. It is submitted that petitioner not put on TIP, as yet. While concluding argument, it is submitted that 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 suspicion arises out of confessional statement of co-accused, nothing incriminating appears during the course of investigation as to connect this petitioner *prima facie* with present occurrence of robbery, coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 05.12.2022, 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, Jamui in connection with Khaira P.S. Case No.104 of 2022, subject to the conditions as laid down under Section 437(3) of the CrPC.

(Chandra Shekhar Jha, J.)

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