

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27607 of 2023

Arising Out of PS. Case No.-263 Year-2020 Thana- UDAKISHUNGANJ District-
Madhepura

Prateek Kumar @ Prateek Kumar Prabhakar Son of Chandeshwari Yadav Resident of
Village - Durgapur, P.S.- Basnahi, District - Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandra Mohan Jha, Advocate

For the Opposite Party/s : Mr. Braj Kishore Pd.(App)

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 28-07-2023 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
Udakishgunganj P.S. Case No. 263 of 2020 registered for the
offence under Section 392 of the Indian Penal Code.

4. The accused/petitioner is not named in the F.I.R. and
is in custody since 31.12.2022.

5. The allegation against the petitioner is to commit
robbery and while committing so taken away two motorcycles and
cash of Rs. 2,13,428/- belongs to informant and others.

6. Learned counsel appearing on behalf of the petitioner
submitted that the petitioner remanded with present case from
Saurbazar P.S. Case No. 353 of 2020. It is submitted that
motorcycles, which were alleged to be looted not appears to be



recovered from conscious physical possession of this petitioner and same was occupied by three more co-accused persons. While concluding the argument, it has been submitted that 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.

7. Learned APP opposes the prayer of bail.

8. Considering the facts and circumstances as mentioned above as alleged looted motorcycles not appear to be recovered from conscious physical possession of this petitioner coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 31.12.2022, accordingly, above named petitioner is directed to be released on bail in connection with Udakishunganj P.S. Case No. 263 of 2020 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, 1st Udakishunganj, Madhepura/concerned court, subject to the conditions as mentioned under Section 437 (3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

Archana/-

U		T	
---	--	---	--

