

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30166 of 2023

Arising Out of PS. Case No.-856 Year-2021 Thana- NAGAR District- Vaishali

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Sujeet Kumar @ Thapachi, Son of Vasudev Ray, R/o village- Dighi Kala,
Chak Sakra, PS-Sadar Hajipur, Dist- Vaishali

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mrs. Rina Sinha, Advocate

For the Opposite Party/s : Mr. Anil Kumar Singh No. 1, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

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

The accused/petitioner seeks bail in connection with Hajipur Town P.S. Case No.856 of 2021 registered for the offences punishable under Sections 395 and 397 of the Indian Penal Code but later on Section 412 of the Indian Penal Code was added in the FIR.

The accused/petitioner is not named in the FIR and is in custody since 10.01.2022.

Allegation against the petitioner is to commit dacoity in jewellery shop along with other co-accused persons and while committing so, looted several gold and silver ornaments total value of Rs.1,32,00,000/- and also Rs.5,00,000/- in cash.



It is submitted by learned counsel that petitioner remanded in the present case from Hajipur Town P.S. Case No.1052 of 2021 out of self-confession and suspicion, as he found involved in 19 criminal cases, where in most of the cases he is on bail and named in present case out of suspicion arises out of said criminal antecedents only. It is submitted that petitioner was not put on Test Identification Parade. It is also pointed out that similarly situated co-accused, namely, Sanjay Paswan has already granted bail by learned co-ordinate Bench of this Court vide order dated 12.04.2023 passed in Cr. Misc. No.7744 of 2023. 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.

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

In view of above-mentioned facts and circumstances and by taking note of the fact as save and except confessional statement, no incriminating material was recovered from possession of this petitioner, coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 10.01.2022, 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 Hajipur Town P.S. Case No.856 of 2021, subject to the conditions as laid down under Section 437(3) of the CrPC.

(Chandra Shekhar Jha, J)

Sanjeet/-

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