

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26437 of 2023

Arising Out of PS. Case No.-575 Year-2022 Thana- DARIYAPUR District- Saran

Ajeet Kumar @ Ajit Kumar Son Of Pappu Rajak Resident Of Village-
Dahiyawan, Ps- Town, Distt- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anuj Kumar Shrivastava, Advocate
For the Opposite Party/s : Mr. Shailendra Kumar, Advocate

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. The petitioner seeks bail in connection with
dAriyapur P.S. Case No. 575 of 2022 registered for the offence
under Section 394 of the Indian Penal Code.

3. The accused/petitioner is not named in the F.I.R.
and is in custody since 20.10.2022.

4. The allegation against the petitioner is to commit
robbery and while committing so looted 41 kg of ornament
made up of silver, which was in possession of informant at the
time of occurrence.

5. Learned counsel appearing on behalf of the
petitioner submitted that name of petitioner surfaced during the
course of investigation on the basis of confessional statement of



co-accused Amarnath Mahto, where in furtherance of said confessional statement no incriminating material including alleged looted silver ornament recovered from the possession of this petitioner. It is submitted that said Amarnath Mahto has already been granted bail by one of the learned Co-ordinate Bench of this Court through Cr. Misc. No. 7431 of 2023 vide order dated 02.05.2023. It is also submitted that petitioner was not put on TIP, as yet. While concluding the argument, it has been submitted that petitioner is a man of clean antecedent and moreover, 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.

6. Learned APP opposes the prayer of bail.

7. Considering the facts and circumstances as mentioned above, as save and except suspicion arises out of confessional statement, no incriminating material appears to be recovered/surfaced as to connect petitioner, *prima facie*, with present occurrence of robbery, where petitioner is a man of clean antecedent coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 20.10.2022, accordingly, above named petitioner is directed to be released on bail in connection with Dariyapur P.S. Case No.



575 of 2022 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 4th Additional Sessions Judge, Chapra/concerned court, subject to the conditions as mentioned under Section 437 (3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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