

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30161 of 2023**

Arising Out of PS. Case No.-127 Year-2022 Thana- SIMRI District- Darbhanga

Rohit Yadav @ Rohit Kumar Yadav, Son of Late Pawan Yadav @ Pawan Kumar Yadav, Resident of Village-Madhiya, P.S.-Basopatti, Distt- Madhubani

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Bhavesh Kumar Sah, Advocate

For the Opposite Party/s : Mr. Khurshid Anwar, APP

**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 Simri P.S. Case No.127 of 2022 registered for the offence punishable under Section 392 of the Indian Penal Code.

The accused/petitioner is not named in the FIR and is in custody since 06.02.2023.

Allegation against the petitioner is to commit robbery along with co-accused persons and while committing so, taken away different goods having total value of Rs.39,16,721/- belongs to one M/s. Kalpvriksha Service Private Ltd., while consignment was on way with informant Anuj Yadav in a pick-up van.

It is submitted by learned counsel that the



petitioner remanded in this case from Harlakhi P.S. Case No.228 of 2022 on the basis of suspicion/self-confession, where in furtherance of same, no incriminating material recovered/surfaced so as to connect him with present occurrence of robbery. It is submitted that petitioner not put on Test Identification Parade, as yet. It is submitted by learned counsel that similarly situated co-accused, namely, Anand Kumar Jha @ Anand Jha has already granted bail by learned co-ordinate Bench of this Court vide order dated 27.02.2023 passed in Cr. Misc. No.67740 of 2022. While concluding argument, it is submitted that the petitioner found involved in one more 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.

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

In view of above-mentioned facts and circumstances, as no incriminating material recovered/surfaced during the course of investigation from this petitioner as to connect him with present occurrence of robbery, coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 06.02.2023, 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.-1st, Darbhanga in connection with Simri P.S.
Case No.127 of 2022, subject to the conditions as laid down
under Section 437(3) of the CrPC.

(Chandra Shekhar Jha, J.)

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