

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27709 of 2023

Arising Out of PS. Case No.-57 Year-2023 Thana- BANKA District- Banka

Rajhans Kumar @ Rajhans Kuamr Son of Rakesh Singh Resident of Village
Wasipur, Ps Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Singh, 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 Banka
P.S. Case No. 57 of 2022 registered for the offence under Section
394 of the Indian Penal Code.

4. The accused/petitioner is not named in the F.I.R. and
is in custody since 03.02.2023.

5. The allegation against the petitioner is to commit
robbery, while committing so taken away cash of Rs. 20,000/- and
also household articles valuing about Rs. 10,000/- belongs to
informant.

6. Learned counsel appearing on behalf of the petitioner



submitted that the name of petitioner surfaced during the course of investigation on the basis of confessional statement of co-accused, namely, Soljer @ Sajan Kumar, where in furtherance of which no incriminating material recovered as to connect petitioner, *prima facie*, with the present occurrence of robbery. It is submitted that petitioner was not put on TIP, as yet. While concluding the argument, it has been submitted that petitioner found involved in one more criminal case, where he is on bail 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.

7. Learned APP opposes the prayer of bail.

8. Considering the facts and circumstances as mentioned above and by taking note of the fact as save and except suspicion arises out of confessional statement of co-accused, nothing incriminating material surfaced/recovered from the conscious physical possession of this petitioner as to connect him, *prima facie*, with the present occurrence of robbery coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 03.02.2023, accordingly, above named petitioner is directed to be released on bail in connection with Banka P.S. Case No. 57 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 Chief Judicial Magistrate, Banka/concerned court, subject to the conditions as mentioned under Section 437 (3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

Archana/-

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