

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33852 of 2023

Arising Out of PS. Case No.-534 Year-2022 Thana- NAWADA District- Nawada

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Dipak Kumar @ Chintu, Son of Brajnandan Singh, Resident of village -
Hasanpur, P.S. - Mohanpur, Distt. - Vaishali

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Ms. Kanchan Kumari, Advocate

For the Opposite Party/s : Mrs. Rita Verma, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 24-06-2023 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

The accused/petitioner seeks bail in connection
with Nawada Sadar P.S. Case No.534 of 2022 registered for the
offences punishable under Sections 413, 414, 420, 467, 468, 471
and 120-B of the Indian Penal Code.

The accused/petitioner not named in the FIR and is
in custody since 01.06.2022.

Allegation against the petitioner is to found in
possession of stolen vehicle having Registration No.JH-01CL-
1147 where engine number and chesis number of vehicle was
found erased.

It is submitted by learned counsel for the petitioner
that petitioner was not apprehended on the spot. His name



transpired during the course of investigation on the basis of confessional statement of co-accused, namely, Aayush Kumar, in furtherance of which, no incriminating material has been recovered/surfaced from this petitioner to connect him with present occurrence. It is submitted that named co-accused, namely, Md. Rizwan has already granted bail by one of the learned co-ordinate Bench of this Court vide order dated 22.05.2023 passed in Cr. Misc. No.25058 of 2023. While concluding argument, it is submitted that petitioner found involved in four more criminal cases, 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 chances of tampering with the evidence.

Learned APP opposes the prayer for bail.

In view of the above-mentioned facts and circumstances and by taking note of the fact that save and except confession, no incriminating material appears to be recovered from the possession of this petitioner to connect him *prima facie* with present occurrence, coupled with the fact that charge-sheet has been submitted, where petitioner is in custody since 01.06.2022, 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, Nawada in connection with Nawada Town P.S. Case No.534 of 2022, subject to the conditions as laid down under Section 437(3) of the CrPC.

(Chandra Shekhar Jha, J.)

Sanjeet/-

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