

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33810 of 2023

Arising Out of PS. Case No.-97 Year-2019 Thana- JANDAHA District- Vaishali

Pravin Kumar @ Munil Kumar Son Of Krishandev Mahto Village- Chhourahi
Ps- Khodabandpur Chhourahi Op Dist- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Nand Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 24-06-2023 Heard learned counsel appearing on behalf of the
petitioner and learned APP appearing on behalf of the State.

The petitioner seeks bail in connection with Jandaha
P.S. Case No.97 of 2019 registered for the offence under Section
392 of the Indian Penal Code.

The accused/petitioner is not named in the F.I.R. and
is in custody since 23.07.2022.

The allegation against the petitioner is to commit
robbery and while committing so taken away pick-up van
loaded with fish, which was in possession of the informant at
the time of occurrence.

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 Deepak Kumar Yadav, where in furtherance of which, no incriminating material recovered/surfaced, which may connect this petitioner with the present occurrence of robbery. It is also submitted that petitioner was not put on T.I.P. as yet. It is submitted that similarly situated co-accused, namely Dipak Kumar Yadav, has already been granted bail by one of the learned Co-ordinate Bench of this Court through Cr. Misc. No. 47737 of 2019 vide order dated 31.07.2019. While concluding the argument, it is submitted that investigation of this case has been completed, for which, charge-sheet has already been submitted, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State, opposes the prayer for bail.

In view of the facts and circumstances as mentioned above as implication of petitioner appears on the basis of confessional statement without recovery of any incriminating material coupled with the fact that charge-sheet has already been submitted, where petitioner is in custody since 23.07.2022, let above named petitioner is directed to be released on bail in connection with Jandaha P.S. Case No.97 of 2019 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two



sureties of the like amount each to the satisfaction of learned
Judicial Magistrate-1st Class, Vaishali at Hajipur/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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