

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30869 of 2023**

Arising Out of PS. Case No.-304 Year-2022 Thana- MOTIPUR District- Muzaffarpur

Ashutosh Kumar Rana @ David Singh, Son of Ram Pravesh Singh @ Ram Pravesh Kumar Singh, resident of Village- Balthi Gausi, P.O.-Balthi Narhar, P.S.- Sahebganj, Distt- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar @ S.K., Advocate

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

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER**

3 05-07-2023 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

The accused/petitioner seeks bail in connection with Motipur P.S. Case No.304 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 23.01.2023.

Allegation against the petitioner is to commit robbery and while committing so, taken away a motorcycle, mobile and cash of Rs.27,327/- belongs to the informant along with other co-accused persons.

It is submitted by learned counsel that petitioner implicated with present case on the basis of self-confession



while he was apprehended with Motipur P.S. Case No.346 of 2022. It is submitted that on the basis of self-confession, a mobile phone, which belongs to this petitioner alleged to be shown as recovered mobile of present case, which is apparently false on its face, for the reason that no mandatory certificate under Section 65-B of the Indian Evidence Act was obtained. While concluding argument, it is submitted that 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 while opposing the prayer for bail submitted that the looted mobile is the same mobile as it is appearing from the call details report.

In view of above-mentioned facts and circumstances and by taking note of nature of accusation, coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 23.01.2023, 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.-II (West), Muzaffarpur in connection with Motipur P.S. Case No.304 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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