

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31302 of 2023

Arising Out of PS. Case No.-299 Year-2022 Thana- KARJA District- Muzaffarpur

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Akash Kumar Son of Shivnath Ram Resident of village - Kharuaha Jairam,
P.S. - Kudhani, Distt. - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Advocate
For the Opposite Party/s : Mr. Akbar Ali, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 20-06-2023 Heard learned counsel appearing on behalf of the

petitioner and learned counsel appearing on behalf of the State.

The petitioner seeks bail in connection with Karja P.S.

Case No. 299 of 2022 registered for the offence under Section
392 of the Indian Penal Code (in short 'I.P.C.') and
subsequently added Section 411 of the I.P.C.

The accused/petitioner is not named in the F.I.R. and
is in custody since 02.12.2022.

The allegation against the petitioner is to commit
robbery alongwith other co-accused persons and while
committing so taken away one motorcycle and one golden chain



belongs to the informant.

Learned counsel appearing on behalf of the petitioner submitted that petitioner falsely implicated in this case, where on the basis of suspicion a self-confession was obtained where in furtherance of no incriminating material recovered/surfaced which may incriminate this petitioner, *prima facie*, with 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.

Learned APP opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as save and except self-confession nothing surfaced against this petitioner to connect him, *prima facie*, with present occurrence coupled with the fact that charge-sheet has already been submitted, where petitioner is in custody since 02.12.2022, accordingly, the petitioner, above named, is directed to be released on bail in connection with Karja P.S. Case No. 299 of 2022 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, Muzaffarpur (West)/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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