

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33444 of 2023

Arising Out of PS. Case No.-330 Year-2021 Thana- CHHATAUNI District- East Champaran

SACHIN KUMAR @ SACHIN PATEL Son of Nagendra Patel Village- Amar
Chhatauni PS- Chhatauni/ Motihari Muffasil Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kundan Rathore @ Kundan Kumar, Advocate
For the Opposite Party/s : Mr. Rana Randhir Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 23-06-2023 Heard learned counsel appearing on behalf of the parties.

The petitioner seeks bail in connection with Chhatauni P.S. Case No.330 of 2021 registered for the offence under Sections 394 and 302 of the Indian Penal Code.

The accused/petitioner is not named in the F.I.R. and is in custody since 10.05.2022.

The allegation against the petitioner is to commit murder of father of the informant and also to commit robbery, along with other co-accused persons and while committing so, taken away valuable house hold articles from house of informant.

Learned counsel appearing on behalf of the petitioner submitted that petitioner is not named in the FIR, where his name surfaced, during course of investigation on the basis of



confessional statement of co-accused, where, in furtherance of no incriminating material recovered/surfaced, which may connect this petitioner, *prima facie*, with present occurrence of murder and robbery. It is submitted that similarly situated co-accused person, namely, Chand Miya has already granted bail by one of the learned co-ordinate Bench of this Court through Cr. Misc. No. 51105 of 2022 dated 09.01.2023. While concluding the argument, it is submitted that petitioner found involved in 03 more cases, where, he is on bail and moreover, investigation of this case has completed, for which, charge-sheet has already submitted, as such, there is no chance of tampering with the evidence.

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

Considering the facts and circumstances as mentioned above, as save and except confession, nothing appears against this petitioner to connect him, *prima facie*, with the present occurrence of murder and robbery coupled with the fact that charge-sheet has already submitted, where, petitioner is in custody since 10.05.2022, let the petitioner, above named, is directed to be released on bail in connection with Chhatauni P.S. Case No.330 of 2021, on furnishing bail bond of Rs.10,000/-



(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Motihari, East Champaran/concerned court, subject to the condition as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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