

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38445 of 2023

Arising Out of PS. Case No.-236 Year-2021 Thana- JADIA District- Supaul

Rajesh Kumar Pandit Son Of Bahadur Pandit Resident Of Village- Patori
(KARUA Ghat), Ps- Singheshwar, Distt- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Upendra Kumar Chaubey, Advocate
For the Opposite Party/s : Mr. Narsingh Tanti, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 19-07-2023 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

2. Let the defect(s), if any, be removed within a period
of four weeks from today.

3. The petitioner seeks bail in connection with Jadiya
P.S. Case No. 236 of 2021 registered for the offence under
Section 392 of the Indian Penal Code.

4. The accused/petitioner is named in the F.I.R. and is
in custody since 21.10.2022.

5. The allegation against the petitioner is to commit
robbery alongwith other co-accused persons and while
committing so taken away motorcycle belongs to informant.

6. Learned counsel appearing on behalf of the
petitioner submitted that the name of petitioner surfaced on the



basis of confessional statement of co-accused, namely, Vikash Kumar, in furtherance of which no incriminating material recovered/surfaced as to connect 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 two more criminal cases, 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.

7. Learned APP opposes the prayer of bail.

8. Considering the facts and circumstances as mentioned above and by taking note of the fact as save and except confession of co-accused no incriminating material appears against this petitioner during the course of investigation as to connect him, *prima facie*, with present occurrence of robbery coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 21.10.2022, accordingly, above named petitioner is directed to be released on bail in connection with Jadiya P.S. Case No. 236 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of



learned Additional Chief Judicial Magistrate-V,
Supaul/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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