

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38214 of 2023

Arising Out of PS. Case No.-230 Year-2021 Thana- GANGABRIDGE District- Vaishali

Bipin Kumar @ Vipin Kumar son of Naresh Ray Village- Saidpur Ganesh Ps-
Bidupur Dist- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravish Mishra, Advocate

For the Opposite Party/s : Mr. Uday Chand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 12-07-2023 Heard learned counsel appearing on behalf of the parties.

The petitioner seeks bail in connection with Ganga Bridge P.S. Case No.230 of 2021 registered for the offence under Sections 399 and 402 of the Indian Penal Code and Sections 25(1-b)a, 26 and 35 of the Arms Act.

The accused/petitioner is named in the F.I.R. and is in custody since 17.10.2022.

The allegation against the petitioner is to involve in preparation for committing dacoity along with other co-accused persons, where, other co-accused persons were found in possession of firearm, while making alleged preparation.

Learned counsel appearing on behalf of the petitioner submitted that petitioner was named on the basis of confessional



statement made by apprehended co-accused persons, namely, Sonu Kumar, Pankaj Kumar and Ladla @ Tajuddin, in furtherance thereof, no incriminating material recovered/surfaced against this petitioner, which may connect him, *prima facie*, with the present alleged preparation for committing dacoity. It is submitted that similarly situated co-accused person has already granted bail by one of the learned co-ordinate Bench of this Court through Cr. Misc. No. 31419 of 2022 dated 31.08.2022. While concluding the argument, it is submitted that petitioner found involved in 01 more case, where, he is on bail and moreover, investigation of this case is 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 suspicion arises out of disclosure made by co-accused persons, nothing incriminating material recovered/surfaced against this petitioner, as to connect him, *prima facie*, with present occurrence of preparation coupled with the fact that charge-sheet has already submitted, where, petitioner is in custody since 17.10.2022, let the petitioner,



above named, is directed to be released on bail in connection with Ganga Bridge P.S. Case No.230 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 Chief Judicial Magistrate, Hajipur at Vaishali/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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