

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38480 of 2023

Arising Out of PS. Case No.-12 Year-2023 Thana- BALUA BAZAR District- Supaul

Brajesh Kumar, S/o Upendra Yadav @ Upendra Prasad Yadav, R/o Ghataha,
Gobindpur, Ward No.09, P.S.-Pratapganj and Distt. Supaul

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Sanjeev Verma, Advocate

For the Opposite Party/s : Mr. Raj Ballabh Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 19-07-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The accused/petitioner seeks bail in connection
with Balua Bazar (Lalitgram O.P.) P.S. Case No.12 of 2023
registered for the offence punishable under Section 392 read
with 34 of the Indian Penal Code.

3. The accused/petitioner is not named in the FIR and
is in custody since 22.02.2023.

4. Allegation against the petitioner is to commit
robbery along with other co-accused persons and while
committing so, taken away motorcycle belongs to informant.

5. It is submitted by learned counsel that on the basis
of suspicion, self-confession of this petitioner was obtained in
connection with present case, where on the basis of incuplatory



statement as made by this petitioner while recording his confessional statement, no incriminating material recovered/surfaced during the course of investigation as to connect petitioner *prima facie* with present occurrence of robbery. Petitioner was not put on TIP as yet. While concluding argument, it is submitted that the petitioner is a man of clean antecedent and moreover investigation of this case is completed, for which, charge-sheet has been submitted and, as such, there is no chance of tampering with the evidence.

6. Learned APP opposes the prayer for grant of bail to the petitioner.

7. In view of above-mentioned facts and circumstances, as save and except suspicion/self-confession, nothing incriminating against this petitioner 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 22.02.2023, 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 S.D.J.M., Supaul in connection with Balua Bazar (Lalitgram O.P.) P.S. Case No.12 of 2023, subject to the



conditions as laid down under Section 437(3) of the CrPC.

(Chandra Shekhar Jha, J.)

Sanjeet/-

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