

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35467 of 2023

Arising Out of PS. Case No.-63 Year-2021 Thana- KINJAR District- Jehanabad

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AMAN KUMAR son of VINAY SINGH @ BINAY KUMAR Village-
Noniabigha Ps- Arwal Dist- Arwal

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arvind Prasad Singh, Advocate

For the Opposite Party/s : Mr. Kanhaiya Kishore, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 11-07-2023 Heard learned counsel appearing on behalf of the

parties.

The petitioner seeks bail in connection with Kinger
P.S. Case No.63 of 2021 registered for the offence under Section
395 of the Indian Penal Code.

The accused/petitioner is not named in the F.I.R. and
is in custody since 08.12.2021.

The allegation against the petitioner is to commit
dacoity along with other co-accused persons, while committing
so, taken away cash of Rs. 35,000/- belongs to informant and
others.

Learned counsel appearing on behalf of the petitioner
submitted that name of the petitioner appears during course of
investigation, on the basis of confessional statement of



apprehended co-accused persons, where, no incriminating materials including cash recovered from this petitioner, as to connect him, *prima facie*, with present occurrence of dacoity. It is submitted that petitioner was not put on TIP, as yet. It is submitted that similarly situated co-accused person, namely, Tuntun Kumar, has already granted bail by one of the Ld. co-ordinate Bench of this Court, through Cr. Misc. No. 26428 of 2022 dated 18.08.2022. While concluding the argument, it is submitted that petitioner found involved in 03 more criminal cases, 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 confessional statement and suspicion, nothing appearing incriminating against this petitioner, during course of investigation, as to connect him, *prima facie*, with present occurrence of dacoity coupled with the fact that charge-sheet has already submitted, where, petitioner is in custody since 08.12.2021, let the petitioner, above named, is directed to



be released on bail in connection with Kinger P.S. Case No.63 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 Additional District and Sessions Judge-III, Jehanabad/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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