

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38475 of 2023

Arising Out of PS. Case No.-332 Year-2022 Thana- BIKRAMGANJ District- Rohtas

Rishabh Kumar Srivastav, Son of Raju Lal @ Rajesh Kumar Srivastava,
Resident of Village- Rediya, P.S.- Bikramganj, Distt- Rohtas

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Virendra Prasad, Advocate

For the Opposite Party/s : Mr. Nitya Nand Tiwary, 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 Bikramganj P.S. Case No.332 of 2022 registered for the
offences punishable under Sections 356 and 379 of the Indian
Penal Code.

3. The accused/petitioner is not named in the FIR and
is in custody since 22.12.2022.

4. Allegation against the petitioner is to commit theft
along with other co-accused persons and while committing so,
taken away a mobile and cash of Rs.6,000/- along with ATM
cards and several other documents from motorcycle of the
informant, bearing Registration No. BR-24-N1018, which was
parked near to Dhusia Khurd.

5. It is submitted by learned counsel that the name of



petitioner surfaced during the course of investigation on the basis of confessional statement of co-accused, namely, Tuntun Kumar, in furtherance of which, no incriminating material recovered/surfaced as to connect him *prima facie* with the present occurrence of theft. It is submitted that petitioner not put on Test Identification Parade as yet. While concluding argument, it is submitted that investigation of this case has been 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 confessional statement, no incriminating material appears to be recovered from this petitioner as to connect him *prima facie* with present occurrence of theft, coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 22.12.2022, 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 A.C.J.M.-1st, Bikramganj, Rohtas in connection with Bikramganj P.S. Case No.332 of 2022, subject



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

(Chandra Shekhar Jha, J.)

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