

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36160 of 2023

Arising Out of PS. Case No.-19 Year-2023 Thana- RAJAON District- Banka

Basuki Yadav Son Of Naval Yadav Resident Of Village- Sanjha, Ps- Rajoun,
Distt- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Md. Najmul Hodda, Advocate

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 11-07-2023 Heard learned counsel appearing on behalf of the
petitioner and learned APP appearing on behalf of the State.

The petitioner seeks bail in connection with Rajoun
P.S. Case No.19 of 2023 registered for the offence under
Sections 392 and 411 of the Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in
custody since 15.01.2023.

The allegation against the petitioner is to commit
robbery and while committing so taken away one mobile and
cash of Rs. 12,000/- belongs to informant and others.

Learned counsel appearing on behalf of the petitioner
submitted that petitioner was not apprehended on the spot and
his name surfaced in the present case on the basis of disclosure
made by main co-accused, namely Shintu Kumar, who has



already been granted bail by one of the learned Co-ordinate Bench of this Court through Cr. Misc. No. 25837 of 2023 vide order dated 19.05.2023. It is further submitted that during the course of investigation Rs. 1,500/- cash alleged to be recovered from this petitioner was without any details and denomination as to connect the petitioner with alleged looted cash and also with present occurrence of robbery. While concluding the argument, it is submitted that petitioner found involved in one more case, where he is on bail and moreover, investigation of this case has been 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 for bail.

In view of the facts and circumstances as mentioned above as alleged recovered cash of Rs. 1,500/- is without any details and denomination, which cannot connect this petitioner, *prima facie*, with present occurrence of robbery, coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 15.01.2023, accordingly, above named, petitioner is directed to be released on bail in connection with Rajoun P.S. Case No.19 of 2023 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, Banka/concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J.)

S.Tripathi/-

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