

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38611 of 2023**

Arising Out of PS. Case No.-9 Year-2023 Thana- NALANDA District- Nalanda

Dabloo Kumar Son Of Sumindra Gop @ Surendra Gop Resident Of Village-
Mohanpur, Ps- Nalanda, Distt- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Saroj Kumar Chaudhary, Advocate
For the Opposite Party/s : Mr.Murli Dhar, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER**

2 19-07-2023 Heard learned counsel appearing on behalf of the

petitioner and learned APP appearing on behalf of the State.

2. The petitioner seeks bail in connection with
Nalanda P.S. Case No. 9 of 2023 registered for the offence
under Section 392 of the Indian Penal Code.

3. The accused/petitioner is not named in the F.I.R.
and is in custody since 25.01.2023.

4. The allegation against the petitioner is to commit
robbery alongwith other unknown co-accused persons and while
committing so taken away mobile, motorcycle and cash of Rs.
1,000/- belongs to informant.

5. Learned counsel appearing on behalf of the
petitioner submitted that the name of petitioner surfaced on the
basis of confessional statement of co-accused, namely Ajay
Kumar, where in furtherance of which, no incriminating



material recovered/surfaced from this petitioner rather from another co-accused, namely Ajay Yadav. It is submitted that petitioner was not put on T.I.P., as yet. While concluding the argument, it is submitted that petitioner found involved in 10 more criminal cases, where he has been acquitted in 7 cases and in 2 cases 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.

6. Learned APP appearing on behalf of the State, opposes the prayer for bail.

7. In view of the facts and circumstances as mentioned above and by taking note of the fact as save and except confessional statement no incriminating material recovered/surfaced during the course of investigation as to connect this petitioner, *prima facie*, with the present occurrence of robbery coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 25.01.2023, accordingly petitioner, above named, is directed to be released on bail in connection with Nalanda P.S. Case No. 9 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 Judicial Magistrate 8, Nalanda, Bihar Sharif/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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