

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47737 of 2023

Arising Out of PS. Case No.-146 Year-2022 Thana- PANDARAK District- Patna

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SUMIT KUMAR @ JELAR YADAV Son of Late Hare Ram Yadav Resident
of Village-Chaperatar, P.S.-Pandarak, District-Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manoj Kumar Pandey, Advocate

For the Opposite Party/s : Mr.Tarkeshwar Nath Thakur, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 2 03-08-2023 1. Heard learned counsel for the petitioner and
learned APP for the State.
2. Petitioner seeks regular bail in connection
with Pandarak P.S. Case No.146 of 2022 dated 03.10.2022
registered for the offence/s punishable under Section/s 392 of
the Indian Penal Code.
3. The main submissions advanced by the
learned counsel for the petitioner are that the petitioner is not
named in the FIR and in the alleged crime during investigation
his name came into light in the confessional statement of co-
accused Sourabh Kumar @ Ganguli and thereafter the petitioner
was remanded and as per prosecution he also recorded his own
confessional statement but except the said confessional
statements of this petitioner as well as of co-accused there is



nothing against this petitioner and even he was not put on Test Identification Parade after his remand in the present matter and nothing incriminating connecting the petitioner to the alleged offence of loot was recovered from his possession. Further submission is that the petitioner has been made accused mainly on account of the confessional statement of co-accused as well as his criminal antecedents in this regard the order impugned may be perused and so far as the criminal antecedent of this petitioner is concerned altogether in ten criminal cases the petitioner has been dragged out of them he has got bail in six cases and he was remanded in the criminal cases detailed at serial No. viii to x from Bakhtiyarpur P.S. Case No.648 of 2022 and against the petitioner the investigation has been completed. Further submission is that the petitioner has been languishing in jail since 13.03.2023.

4. Learned APP appearing for the State opposes the bail prayer.

5. Considering the above submissions as well as the petitioner's plea that except the confessional statement of co-accused and his criminal antecedents there is nothing material against him to connect him to the alleged crime of loot and the said plea has not been refuted by the learned APP and



against the petitioner the investigation has been completed, in my opinion it is a fit case for bail to the petitioner. Accordingly, let the petitioner named-above be released on bail **after framing of charge** in connection with Pandarak P.S. Case No.146 of 2022 on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned.

(Shailendra Singh, J)

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