

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49629 of 2023

Arising Out of PS. Case No.-16 Year-2023 Thana- NAUGACHIA District- Bhagalpur

Vikash Kumar@Vikash Sharma@Amit Singh Son Of Late Radhe Sharma
R/O Vill Panpur, Dighwarpur Govardhan, Ps- Bidupur, Dist -PATNA.

... .. Petitioner/S

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rahul Kumar, Advocate

For the Opposite Party/s : Mr.Md. Mushtaque Alam, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 08-08-2023 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

2. Let the defect(s), if any, be removed within a period
of four weeks from today.

3. The petitioner seeks bail in connection with
Navgachiya P.S. Case No. 16 of 2023 registered for the offence
under Section 375 of the Indian Penal Code.

4. The accused/petitioner is not named in the F.I.R.
and is in custody since 23.02.2023.

5. The allegation against the petitioner is to commit
dacoity alongwith other co-accused persons and while
committing so looted cash of Rs. 9,27,740/- belongs to
informant.

6. Learned counsel appearing on behalf of the



petitioner submitted that the name of this petitioner surfaced during the course of investigation on the basis of confessional statement of co-accused, namely, Chotu @ Nirdosh Kumar, in furtherance of which, no incriminating material appears to be recovered/surfaced from his possession as to connect him with present occurrence of dacoity. It is submitted that petitioner not put on TIP as yet. While concluding the argument, it is submitted that petitioner found involved in one more criminal case, where he is on bail, and moreover, investigation of this case is completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

7. Learned APP, opposes the prayer of bail.

8. Considering the facts and circumstances as mentioned above and by taking note of fact as save and except suspicion arises out of confessional statement of co-accused, namely, Chotu @ Nirdosh Kumar, nothing incriminating appears against this petitioner as to connect him *prima facie* with the present occurrence of dacoity, coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 23.02.2023, accordingly, petitioner above named, is directed to be released on bail in connection with Navgachiya P.S. Case No. 16 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 A.C.J.M. 1st, Navgachiya, Bhagalpur/concerned Court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

veena/-

U		T	
---	--	---	--

