

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59437 of 2022

Arising Out of PS. Case No.-49 Year-2022 Thana- HASPURA District- Aurangabad

Rajendra Prasad Son of Shivnarayan Sao Resident of Village- Repura, P.S.-
Daudnagar, District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Birendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Nitya Nand Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 20-02-2023 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

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

The petitioner seeks bail in connection with Haspura
P.S. Case No. 49 of 2022 registered for the offence under
Section 392 of the Indian Penal Code.

The accused/petitioner is not named in the F.I.R. and
is in custody since 18.05.2022.

The allegation against the petitioner is to commit
robbery alongwith other co-accused persons and while
committing so taken away cash of Rs. 3500/- (Rupees Three
Thousand Five Hundred) and mobile phone belongs to the
informant.



Learned counsel appearing on behalf of the petitioner submitted that the name of petitioner surfaced during the course of investigation on the confessional statement of co-accused Mahavir Yadav in furtherance of which no incriminating material recovered/surfaced, which may connect this petitioner with present occurrence of robbery. It is further submitted that petitioner was not put on TIP, as yet. While concluding the argument, it has been submitted that petitioner remanded in present case from Daudnagar P.S. Case No. 115 of 2022 and beside this case, petitioner found involved in two more criminal cases, where he is on bail and moreover, investigation has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, while opposing the prayer of bail, fairly conceded that petitioner is not named in F.I.R.

Considering the facts and circumstances as mentioned above, as no incriminating material recovered/surfaced, which may connect this petitioner with present occurrence of robbery coupled with the fact that charge-sheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Haspura P.S. Case No. 49 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten



Thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Daudnagar, Aurangabad/concerned court, subject to the conditions as mentioned under Section 437 (3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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