

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60087 of 2022

Arising Out of PS. Case No.-215 Year-2021 Thana- BELA District- Sitamarhi

NAVIN KUMAR Son of Vikramdev Yadav @ Vikram @ Bhikhari Yadav
R/v- Mainatol, Ward No.- 14, P.S.- Khajauli, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ritesh Kumar Narain Singh, Advocate
For the Opposite Party/s : Mr. Satyendra Narayan Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 15-02-2023 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 Bela P.S.
Case No. 215 of 2021 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 09.05.2022.

The allegation against the petitioner is to commit
robbery along with other co-accused persons, while committing
so, taken away Indian currency of Rs. 1,25,000/- and Nepali
currency of Rs. 36,000/-, belong to the informant.

Learned counsel appearing on behalf of the petitioner



submitted that petitioner is not named in the FIR and name of the petitioner surfaced in the present case on the basis of self confessional statement while apprehended in Bela P.S. Case No.216 of 2021, in furtherance of which no incriminating material surfaced/recovered, during course of investigation, which may connect this petitioner, *prima facie*, with the present set of occurrence of robbery. It is also pointed out that petitioner involved in 03 more criminal cases, where, he in on bail in 01 case and almost in all cases his name surfaced on the basis of confessional statement as of the present case. It is also pointed out that petitioner was not put on TIP, as yet. While concluding the argument, it is submitted that investigation of this case has been completed, for which, charge-sheet has already been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, while opposing the prayer of bail, fairly conceded the fact that petitioner was not named in the FIR.

Considering the facts and circumstances as mentioned above, as no incriminating material recovered/surfaced, during course of investigation, which may connect this petitioner, *prima facie*, with the present set of 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 Bela P.S. Case No. 215 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Sitamarhi / concerned court, subject to the condition as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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