

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68449 of 2022

Arising Out of PS. Case No.-21 Year-2022 Thana- RAGHUNATHPUR District- Siwan

Premjit Yadav @ Tengur Son of Rajdhan Yadav R/V- Raghunathpur, P.S-
Raghunathpur, Dist- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary, Advocate

For the Opposite Party/s : Mr. Prem Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 15-03-2023 Heard learned counsel appearing on behalf of the
petitioner and learned APP appearing on behalf of the State.

The petitioner seeks bail in connection with Raghunathpur P.S. Case No.21 of 2022 registered for the offence under Section 394 of the Indian Penal Code and Section 27 of the Arms Act.

The accused/petitioner is not named in the F.I.R. and is in custody since 06.07.2022.

The allegation against the petitioner is to commit robbery alongwith other co-accused persons and to open fire upon informant causing firearm injury on leg and while committing robbery took away laptop alongwith laptop bag belonging to informant.

Learned counsel appearing on behalf of the petitioner



submitted that the name of petitioner surfaced during the course of investigation on the basis of confessional statement of co-accused, namely Alimuddin, in furtherance of which no incriminating material recovered/surfaced during the course of investigation, which may connect the petitioner, *prima facie*, with the present occurrence of robbery. It is also submitted that petitioner was not put on T.I.P. as yet and was remanded in this case from Raghunathpur P.S. Case No.130 of 2022, in which he is on bail. 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 has been completed, for which, charge-sheet has already been submitted, as such, there is no chance of tampering with the evidence.

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

In view of the facts and circumstances as mentioned above as no incriminating material recovered/surfaced which may connect petitioner, *prima facie*, with the present occurrence of robbery coupled with the fact that charge-sheet has already been submitted, let above named petitioner is directed to be released on bail in connection with Raghunathpur P.S. Case No.21 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 Additional Chief Judicial Magistrate-VIII, Siwan/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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