

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63239 of 2022

Arising Out of PS. Case No.-28 Year-2021 Thana- SOHSARAI District- Nalanda

Ripusudan Kumar @ Murari Son of Ganesh Mahto R/v- Sachaut, P.S.- Hisua,
District- Nawada

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Chandra Sen Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 22-02-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

In the present case, the petitioner seeks bail in connection with Sohsarai P.S. Case No. 28 of 2021 registered for the alleged offences under Section 392 of the Indian Penal Code. Subsequently, Sections 395/412 of the Indian Penal Code were also added.

As per prosecution case, a robbery was committed in the house of the informant and miscreants took away a number of gold and silver ornaments, certain documents, mobile phone and cash of Rs.50,000/-. The name of the petitioner transpired during investigation as one of the miscreants.

Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this



case on the basis of confessional statement of co-accused persons and there is no tangible material to connect the petitioner with the offence as alleged. The co-accused persons, who named the petitioner, have been granted bail by a Coordinate Bench vide Cr. Misc. Nos. 47743 of 2021, 56986 of 2021, 57367 of 2021 and 64989 of 2021 (Annexure-2 series). Nothing incriminating has been recovered from the person or possession of the petitioner and he is in custody since 30.05.2022 and charge sheet has been submitted.

Learned A.P.P. for the State opposes the prayer for bail submitting that the petitioner is having criminal antecedent and he is accused in seven other cases of similar nature.

Perused the records.

Having regard to the facts and circumstances and submission made on behalf of the parties and considering the fact that no recovery has been shown from the possession of the petitioner and further considering the period of custody of the petitioner and submission of charge sheet, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nalanda at Bihar Sharif/concerned court in



connection with Sohsarai P.S. Case No. 28 of 2021, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the following conditions:

- (i) One of the bailors will be father of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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