

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68597 of 2022

Arising Out of PS. Case No.-150 Year-2021 Thana- PRATAPGANJ District- Supaul

1. NEERAJ KUMAR Son of Upendra Ram Resident of village - Laxmipur, Ward No.- 6, Police Station - Triveniganj, District - Supaul.
2. Ganesh Kumar Son of Mahadeo Yadav Resident of village - Tetrahi, Ward No.- 2, P.S.- Pipra, District - Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prafull Chandra Thakur, Advocate

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

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 15-03-2023 Heard learned counsel appearing on behalf of the parties.

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

The petitioners seek bail in connection with Pratapganj P.S. Case No. 150 of 2021 registered for the offence under Section 392 of the Indian Penal Code.

The accused/petitioners are not named in the F.I.R. and are in custody since 07.01.2022.

The allegation against the petitioners is to commit robbery and while committing so, taken away Rs. 1,700/- and one Samsung mobile, belongs to the informant.



Learned counsel appearing on behalf of the petitioners submitted that name of these petitioners surfaced, during course of investigation, on the basis of self confession, while apprehended in Pipra P.S. Case No. 341 of 2021 and in furtherance of which, no incriminating material recovered/surfaced, which may connect these petitioners, *prima facie*, with the present occurrence of robbery. It is submitted that no TIP was conducted, as yet. While concluding the argument, it is submitted that petitioners found involved in 06 more criminal cases, where, they are on bail in 05 cases and in most of the cases their name surfaced on the basis of self confession or confessional statement of co-accused persons, as of the present case and moreover, investigation of this case has been completed, for which, charge-sheet has already submitted, as such, there is no chance of tampering with the evidence.

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

Considering the facts and circumstances as mentioned above, as no incriminating material appears to be recovered/surfaced to connect these petitioners, *prima facie*, with the present occurrence of robbery coupled with the fact that charge-sheet has already submitted, let both the petitioners,



above named, are directed to be released on bail in connection with Pratapganj P.S. Case No. 150 of 2021, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Supaul/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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