

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66477 of 2022

Arising Out of PS. Case No.-544 Year-2021 Thana- ARARIA District- Araria

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Raja Son of Late Domar Baitha R/V- Kakarwa Basti, Ward No. 29, P.S- and
Dist- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Prasad Singh, Advocate

For the Opposite Party/s : Mr. Satyendra Narayan Singh, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 22-02-2023 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 Araria
(R.S) P.S. Case No.544 of 2021 registered for the offence under
Section 394 of the Indian Penal Code.

The accused/petitioner is not named in the F.I.R. and
is in custody since 02.06.2022.

The allegation against the petitioner is to commit
robbery alongwith other co-accused person and while
committing so taken away cash of Rs. 4,567/- (Rupees Two
Thousand Five Hundred Sixty Seven), motorcycle, tab, mobile
phone and certain other documents belonging to informant.

Learned counsel appearing on behalf of the petitioner
submitted that the name of petitioner surfaced in the present



case during the course of investigation on the basis of confessional statement of co-accused, namely, Amanullah in furtherance of which no incriminating material recovered/surfaced, which may connect this petitioner, *prima facie*, with the present set of robbery. It is also submitted that petitioner was not put on T.I.P. as yet. While concluding the argument, it is submitted that petitioner found involved in two more criminal cases, where he is on bail in one case 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, while opposing the prayer for bail fairly conceded that petitioner is not named in the F.I.R.

In view of the facts and circumstances as mentioned above and by taking note of the fact that no incriminating material recovered/surfaced during the course of investigation, to connect petitioner, *prima facie*, with the present set of occurrence 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 Araria (R.S.) P.S. Case No.544 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 Chief Judicial Magistrate, Araria/concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J.)

S.Tripathi/-

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