

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66387 of 2022

Arising Out of PS. Case No.-101 Year-2022 Thana- BELDOUR District- Khagaria

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Suman Kumar S/O Shivdani Yadav @ Shivdani R/O Village- Bhatpura, Ward
No-6, P.S- Bakhtiyarpur, District- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Chandra Mohan Jha, Advocate

For the Opposite Party/s : Mr. Nitya Nand Tiwary, 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 Beldour
P.S. Case No.101 of 2022 registered for the offence under
Sections 395 and 397 of the Indian Penal Code.

The accused/petitioner is not named in the F.I.R. and
is in custody since 15.06.2022.

The allegation against the petitioner is to commit
dacoity alongwith other co-accused persons and while
committing so taken away Scorpio vehicle, cash about
Rs.43,000/- (Rupees Forty Three Thousand) and certain
valuable documents like driving license, registration certificate
and aadhar card belonging to informant and others.

Learned counsel appearing on behalf of the petitioner



submitted that the name of petitioner surfaced during the course of investigation on the basis of said suspicion, where substantially his confessional statement was also recorded, in furtherance of which no incriminating material recovered/surfaced which may connect petitioner, *prima facie*, with the present set of occurrence. It is also submitted that petitioner was not put on T.I.P. as yet. While concluding the argument, it is submitted that petitioner is a man of clean antecedent 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 in furtherance of self-confessional statement to connect petitioner 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 Beldour P.S. Case No.101 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 Chief Judicial Magistrate, Khagaria/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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