

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67849 of 2022

Arising Out of PS. Case No.-350 Year-2022 Thana- MURLIGANJ District- Madhepura

Shubham Kumar Suman @ Sonu Kumar S/o Late Santosh Kumar Suman
R/v- Meeragarh Ward No 6, P.S.- Murliganj, District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Subhash Kumar Jha, Advocate

For the Opposite Party/s : Mr. Ajay 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 counsel appearing on behalf of the State.

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

The petitioner seeks bail in connection with Murliganj
P.S. Case No. 350 of 2022 registered for the offence under
Section 395 of the Indian Penal Code (for short 'I.P.C.').

The accused/petitioner is not named in the F.I.R. and
is in custody since 01.08.2022.

The allegation against the petitioner is to commit
dacoity in the house-cum-shop of the informant alongwith other
co-accused persons and while committing so taken away cash of
Rs. 1,50,000/- (Rupees One Lac Fifty Thousand) alongwith one
android Vivo mobile from the shop of the informant.



Learned counsel appearing on behalf of the petitioner submitted that the name of the petitioner surfaced during the course of investigation, receiving a secret input as provided by police spy. It is further submitted that no incriminating material recovered from this petitioner in furtherance of that secret input/self-confession, which may incriminate petitioner with present occurrence of dacoity. It is also pointed out that no TIP was conducted, as yet. It is also submitted that similarly situated co-accused person, namely, Sanjiv Kumar has already granted bail by one of the learned Co-ordinate Bench of this Court through Cr. Misc. No. 68960 of 2020 vide order dated 27.02.2023. While concluding the argument, it has been submitted that petitioner is a man of clean antecedent and moreover, investigation of this case has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP for the State opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as no incriminating material recovered during the course of investigation which may connect this petitioner, *prima facie*, with present occurrence of dacoity coupled with the fact that charge-sheet has already been submitted, let the petitioner,



above named, is directed to be released on bail in connection with Murliganj P.S. Case No. 350 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 learned Chief Judicial Magistrate, Madhepura/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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