

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71359 of 2022**

Arising Out of PS. Case No.-176 Year-2021 Thana- TRIVENIGANJ District- Supaul

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Pritam Kumar S/O Dhaniklal Yadav R/O Village- Rajpur, P.S- Pipra, District-
Supaul

... .. Petitioner/S

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jata Shankar Jha, Advocate

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

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER**

2 17-03-2023 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
Triveniganj P.S. Case No. 176 of 2021 arising out of ST No.
425/2022 registered for the offence under Sections 395/397 of
the Indian Penal Code and 27 of Arms Act.

The accused/petitioner is not named in the F.I.R. and
is in custody since 15.07.2022.

The allegation against the petitioner is to commit
dacoity and also to open fire during the course of dacoity
alongwith other co-accused persons and while committing so
taken away cash of Rs. 10-12 thousand, one mobile and a



motorcycle belongs to informant and others.

Learned counsel appearing on behalf of the petitioner submitted that the petitioner is not named in F.I.R., where his name surfaced during the course of investigation on the basis of confessional statement of co-accused, namely, Munna Kumar, in furtherance of which no incriminating material recovered/surfaced, to connect petitioner, *prima facie*, with present occurrence of dacoity. It is further submitted that said co-accused Munna Kumar has already been granted bail by one of the learned Co-ordinate Bench of this Court through Cr. Misc. No. 45161 of 2022 vide order dated 01.02.2023. It is also submitted that petitioner was not put on TIP, as yet. While concluding the argument, it has been submitted that petitioner is a man of clean antecedent and moreover, investigation of this case is completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, while opposing the prayer of bail fairly conceded the fact that petitioner is not named in the F.I.R.

Considering the facts and circumstances as mentioned above, and by taking note of the fact as no incriminating material recovered/surfaced during the course of investigation to connect petitioner, *prima facie*, with present occurrence of



dacoity, coupled with the fact that charge-sheet has been submitted, let the petitioner, above named, is directed to be released on bail in connection with Triveniganj P.S. Case No. 176 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 learned District and Sessions Judge, Supaul/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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