

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71269 of 2022

Arising Out of PS. Case No.-182 Year-2021 Thana- GANGABRIDGE District- Vaishali

Monu Kumar Son of Dharamnath Ray @ Hiro Rai R/V- Saifpur, P.S-
Gangabridge, Dist- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shivjee Singh, Advocate

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

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
Gangabridge P.S. Case No. 182 of 2021 registered for the
offence under Section 392 of the Indian Penal Code.

The accused/petitioner is not named in the F.I.R. and
is in custody since 21.07.2022.

The allegation against the petitioner is to commit
robbery alongwith other co-accused persons and while
committing so taken away cash of Rs. 5,000/-, one mobile and
Aadhar Card belongs to informant.

Learned counsel appearing on behalf of the petitioner



submitted that the name of petitioner surfaced on the basis of confessional statement of co-accused namely Sanjeev Kumar during the course of investigation, in furtherance of which no incriminating material recovered/surfaced, which may connect petitioner, *prima facie*, with present occurrence. It is further submitted that said co-accused Sanjeev Kumar has already been granted bail by one of the learned Co-ordinate Bench of this Court through Cr. Misc. No. 71197 of 2021 vide order dated 06.05.2022. It is also submitted that petitioner was not put on TIP, as yet. While concluding the argument, it has been submitted that petitioner found involved in one criminal case, where he is on bail 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, as no incriminating material recovered/surfaced during the course of investigation to connect petitioner, *prima facie*, with present occurrence of robbery, 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



Gangabridge P.S. Case No. 182 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 Chief Judicial Magistrate, Vaishali at Hajipur/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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