

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72279 of 2022

Arising Out of PS. Case No.-196 Year-2021 Thana- CHAUTHAM District- Khagaria

Mukesh Ram S/o Nand Kishore Ram R/o Village- Mahinath, P.S.- Beldaur,
Distt- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Shekhar Kumar Singh, Advocate
For the Opposite Party/s	:	Mr. Shailendra Kumar, Advocate
For the State	:	Mr. Navin Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 20-03-2023 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
Chautham P.S. Case No. 196 of 2021 registered for the offence
under Section 395 of the Indian Penal Code, 1860, later on
added Section 412 of the Indian Penal Code, 1860.

The accused/petitioner is not named in the F.I.R. and
is in custody since 07.05.2022.

The allegation against the petitioner is to commit
dacoity alongwith other unknown co-accused persons in the
house of informant and while committing so taken away cash of



Rs. 3,50,000/- and valuable ornaments belongs to informant and his family members.

Learned counsel appearing on behalf of the petitioner submitted that the name of petitioner surfaced during the course of investigation on the basis of confessional statement of co-accused, namely, Pankaj Kumar @ Pranav Kumar, in furtherance of which no incriminating material recovered/surfaced, which may connect petitioner, *prima facie*, with present occurrence of dacoity. It is also submitted that said Pankaj Kumar @ Pranav Kumar has already been granted bail by one of the learned Co-ordinate Bench of this Court through Cr. Misc. No. 3590 of 2022 vide order dated 06.06.2022. 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 seven more criminal cases, where he is on bail in all cases and in maximum of case the name of petitioner surfaced on the basis of confessional statement as of the present case, having no bearing over the merit of the case 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 F.I.R.

Considering the facts and circumstances as mentioned above, and by taking note of the fact as no incriminating material recovered 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 Chautham P.S. Case No. 196 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, Khagaria/concerned Court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

Archana/-

U		T	
---	--	---	--

