

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74057 of 2022

Arising Out of PS. Case No.-672 Year-2022 Thana- BARACHATTI District- Gaya

Pintu Kumar Son of Naresh Chaudhary R/V- Patti, P.O. Amraut Patti, P.S.-
Barachatti, District- Gaya, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kunal Tiwary, Advocate

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

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 22-03-2023 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
Barachatti P.S. Case No. 672 of 2022 registered for the offence
under Section 392 of the Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in
custody since 02.08.2022.

The allegation against the petitioner is to commit
robbery alongwith other co-accused persons and while
committing so taken away a motorcycle, having possession of
informant.

Learned counsel appearing on behalf of the petitioner



submitted that the petitioner implicated falsely in present case on the basis of extra judicial confession of one of the co-accused, namely, Shyamdev Yadav i.e., before the villagers and that too on the next date of occurrence, when villagers on the basis of suspicion, started to assault him collectively. It is further submitted that the petitioner was not put on TIP, as yet. While travelling over the argument, it is submitted as alleged motorcycle was recovered from an open place, which is not connected in any manner with this petitioner and is also accessible by general public. 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, Mr. Rajendra Singh Shastri, vehemently, opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, and as save and except extra judicial confession of co-accused before unknown villagers, no incriminating material surfaced/recovered to connect petitioner, *prima facie*, with the present occurrence, 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 Barachatti P.S. Case No. 672 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 Additional Chief Judicial Magistrate-I, Gaya/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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