

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22219 of 2024

Arising Out of PS. Case No.-178 Year-2023 Thana- AANDAR District- Siwan

Suraj Chubey @ Suraj Chaubey @ Suraj Dubey @ Tripuresh Chubey, Male,
age about 20 years, Son of Premnath Chaubey, Resident of Village- Naipur,
P.S.- Deoria, Dist.- Deoria, Uttar Pradesh.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Setu Prateek, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

3 19-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Andar
(M.H.Nagar) PS Case No. 178 of 2023 instituted for the
offences punishable under Section 395 of the Indian Penal
Code.

3. As per the prosecution case, seven unknown
accused persons armed with deadly weapon entered into the
shop of the informant and looted jewelry and fled away.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence and has
falsely been implicated in this case due to ulterior motive. He
further submits that petitioner is not named in the FIR and



nothing has been recovered from the conscious possession of the petitioner. He has not put on Test Identification Parade. His name has been surfaced in this case merely on the basis of confessional statement of co-accused Munna Yadav @ Langda. Petitioner has not been apprehended at the spot and he has been remanded to the another case. Petitioner is in judicial custody since 17.10.2023.

5. Learned APP opposes the prayer for bail.

6. From perusal of the FIR and the impugned order of the learned Additional Sessions Judge-II, Siwan dated 17.02.2024, it appears that the name of the petitioner has been surfaced only on the basis of confessional statement of co-accused Munna Yadav @ Langda. Petitioner has not arrested at spot and he has been remanded in this case to another case on the basis of suspicion. Similarly situated co-accused persons namely Munna Yadav @ Langda, Ajay Yadav @ Nepali and Manish Kumar @ Manish Kumar @ Manish Yadav have been granted bail by this Court in Cr. Misc. Nos. 76385 of 2023 and 15919 of 2024 vide orders dated 01.12. 2023 and 19.03.2024 respectively. Accordingly the prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail *after commitment of the case* on furnishing bail bonds of Rs.



10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate First Class, Siwan in connection with Andar (M.H. Nagar) P.S. Case No. 178 of 2023.

7. The trial Court is directed to conclude the proceeding of commitment within a period of one month.

(Ramesh Chand Malviya, J)

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