

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23517 of 2024

Arising Out of PS. Case No.-9 Year-2020 Thana- BHAGWANPUR District- Vaishali

Mithun Kumar @ Mithun Kumar Sah S/o Damodar Sah Village Sanchipatti,
Narayani Nagar, P.S. Hajipur Town, District Vaishali (Hajipur)

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vasant Vikas, Advocate

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

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

- 2 10-04-2024 1. Heard learned counsel appearing on behalf

of the petitioner and learned Additional Public Prosecutor

appearing on behalf of the State.
2. The petitioner seeks bail in connection with

Bhagwanpur P.S. Case No. 9 of 2020 registered for the

offence under Sections 395 and 397 of the Indian Penal

Code and Section 27 of the Arms Act.
3. The accused/petitioner is not named in the

F.I.R. and is in custody since 22.09.2023.
4. The allegation against the petitioner is to

commit dacoity, and while committing so, looted a white

colour Bolero near TVS Agency, Bhagwanpur.



5. Learned counsel appearing on behalf of the petitioner submitted that name of the petitioner surfaced on the basis of self confession. It is submitted that as petitioner was found involved in four criminal cases, where he is on bail in all cases. His name surfaced in the present case only on the basis of suspicion, arises due to his criminal antecedents, which is otherwise have no bearing over the merit of this case. It is further submitted that nothing incriminating surfaced/recovered during the course of investigation to connect this petitioner with the present occurrence of dacoity. It is also submitted that petitioner has not been put on T.I.P. as yet. While concluding the argument, it is submitted that investigation in this case is complete, for which chargesheet has been submitted, as such, there is no chance of tampering with the evidence.

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



7. In view of the facts and circumstances, as mentioned above, as nothing incriminating surfaced/recovered in furtherance of confession to connect this petitioner with the present occurrence of dacoity, coupled with the fact that chargesheet has been submitted, let the petitioner, above named, is directed to be released on bail in connection with Bhagwanpur P.S. Case No. 9 of 2020 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 laid down u/s 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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