

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37024 of 2024

Arising Out of PS. Case No.-1376 Year-2022 Thana- PHULWARISHARIF District- Patna

Jivan Kumar @ Jeevan Kumar, Male, aged about 26 years, son of Arvind
Tanti, Resident of Village- Sonapur Dih P.S.-Nayagav District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rohit Kumar Tripathi, Advocate

For the Opposite Party/s : Dr. Mrityunjaya Kr. Gautam, APP

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

ORAL ORDER

2 23-05-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Phulwarisharif P.S. Case No. 1376 of 2022 instituted for the
offences punishable under Section 395 of the Indian Penal
Code.

3. As per the prosecution case, some unknown
criminals have committed dacoity of Rs. 25,000/- cash, bank
cheques and mobile phone from the medical shop of the
informant.

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 only on the basis of suspicion. It is further submitted that the FIR has been registered against unknown persons. Nothing incriminating article has been recovered from the conscious possession of the petitioner. He next submits that the name of the petitioner has been surfaced only on the basis of confessional statement of co-accused persons. Petitioner is in custody since 04.02.2023.

5. Learned APP opposes the prayer for bail.

6. From perusal of the FIR and impugned order of the learned Additional Sessions Judge-XXV, Patna dated 05.03.2024, it appears that petitioner is not named in the FIR. There is no cogent evidence against the petitioner except the confessional statement and suspicion. Chargesheet has already been submitted in this case and no useful purpose will be served keeping the petitioner behind bars. Similarly situated co-accused person namely Aman Kumar has been granted bail by a co-ordinate Bench of this Court in Cr. Misc. No. 18838 of 2024 vide order dated 19.04.2024, accordingly the prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-



XIV, Patna in connection with Phulwarisharif P.S. Case No.
1376 of 2022.

(Ramesh Chand Malviya, J)

Anand Kr.

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

