

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39975 of 2024

Arising Out of PS. Case No.-215 Year-2021 Thana- GANGABRIDGE District- Vaishali

Sunny Kumar Son of Late Parmanand Ram Resident of Village - Dhamaun,
P.O.- Dhamaun,P.S.- Shahpur Patori, District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashutosh Kumar, Advocate

For the Opposite Party/s : Mr.Aditya Narayan Singh.1, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 19-07-2024 1. Heard learned counsel appearing on behalf of

the petitioner and learned APP appearing on behalf of

the State.

2. The petitioner seeks bail in connection with

Ganga Bridge P.S. Case No. 215 of 2021 registered for

the offence under Section 392 of the Indian Penal Code

and, later on, Sections 395 and 412 of the Indian Penal

Code were added subsequently.

3. The accused/petitioner is not named in the

F.I.R. and is in custody since 29.09.2023.

4. The allegation against the petitioner is to

commit robbery along with other co-accused persons

where, finally charge-sheet submitted for dacoity and



while committing so taken total cash of Rs.47,594/-
(Rupees Forty Seven Thousand Five Hundred Ninety
Four) from petrol pump, which belongs to informant.

5. Learned counsel appearing on behalf of the petitioner submitted that the name of petitioner surfaced on the basis of confessional statement of co-accused, namely, Pankaj Kumar, in furtherance of which, no incriminating material recovered/surfaced during the course of investigation, which may connect this petitioner with the present case of robbery/dacoity. It is further pointed out that seizure list appears doubtful being not supported by independent witnesses rather by police personnel. While concluding the argument, it is submitted that investigation of this case has been completed, for which, charge-sheet has already been submitted, as such, there is no chance of tampering with the evidence and moreover, petitioner is a man of clean antecedent.

6. Learned APP appearing on behalf of the



State, opposes the prayer for bail.

7. In view of the facts and circumstances as mentioned above as no incriminating material recovered, in furtherance of confessional statement which may connect the petitioner, *prima facie*, with the present set of occurrence, coupled with the fact that charge-sheet has already submitted, accordingly, above named petitioner, directed to be released on bail in connection with Ganga Bridge P.S. Case No.215 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, Vaishali at Hajipur/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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