

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40781 of 2024

Arising Out of PS. Case No.-227 Year-2023 Thana- SINGHWARA District- Darbhanga

Keshav Kumar @ Keshav Kumar Thakur @ Keshav Thakur @ Diyawar, Son
of Rammurti Thakur RESIDENT OF VILLAGE- BRAHAMPUR, POLICE
STATION- KAMTAUL, DISTRICT- DARBHANGA.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nilendu Kumar Choudhary, Advocate

For the Opposite Party/s : Ms.Anita Kumari, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

- 2 10-06-2024 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

Singhwara P.S. Case No:- 227 of 2023 registered for

the offence under Section 394 of the Indian Penal Code.
3. The accused/petitioner is not named in the

F.I.R. and is in custody since 15.12.2023.
4. The allegation against the petitioner is to

commit robbery alongwith other co-accused persons and

while committing so looted cash of Rs. 15000/-



alongwith one samsung made tab and a purse containing
Rs. 2000/-

5. Learned counsel appearing on behalf of the petitioner submitted that the name of petitioner transpired in this case on the basis of C.C.Tv. Footage, as he was found roaming in nearby area of occurrence. It is submitted that the name of petitioner involved in present case only for the reason that his name found involved in four criminal cases, where he is on bail. It is submitted that the materials alleged to be looted found recovered from the possession of co-accused, Anand Kumar. It is also submitted that investigation of this case is completed long back and charge-sheet submitted without compliance of Section 65B of Indian Evidence Act, particularly, when the entire implication is founded upon electronic evidence. It is submitted that as investigation is completed, therefore, there is no chance of tampering evidence.

6. Learned APP, opposes the prayer of bail.



7. Considering the facts and circumstances as mentioned above as alleged looted materials not appears to be recovered from this petitioner rather same appears to be recovered from Anand Kumar coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 15.12.2023, accordingly, petitioner above named, is directed to be released on bail in connection with Singhwara P.S. Case No. 227 of 2023 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-IVth, Darbhanga/concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C., with further conditions that:-

(i) That the petitioner shall not involve in similar nature of offence till the conclusion of trial, failing which, the State shall be at liberty to move before the learned Trial Court itself for the cancellation of bail bond of the petitioner.



(ii) Accused/Petitioner shall cooperate in the trial and shall be physically present on each and every date after framing of charge before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court, only on medical ground of the petitioner duly supported by the documents.

(Chandra Shekhar Jha, J)

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