

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56205 of 2024

Arising Out of PS. Case No.-161 Year-2024 Thana- KOTWALI District- Patna

Banti @ Pratik Yadav Son Of Mohan Yadav Resident Of Mohalla- Mouar
Lane, Sultanganj, P.S.- Sultanganj, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Krishna Jha, Advocate

For the Opposite Party/s : Mr. Raj Ballabh Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 04-09-2024 Heard the parties.

2. The petitioner seeks bail in connection with Kotwali P.S. Case No. 161 of 2024 registered for the offence under Sections 394 of the I.P.C. and Section 27 of the Arms Act.

3. The petitioner is not named in the FIR and is in custody since 08.04.2024.

4. The allegation against the petitioner to commit robbery alongwith other co-accused persons wherein total 5.5 kg of gold were alleged to be looted from the possession of the informant.

5. It is submitted by learned counsel appearing



on behalf of the petitioner that the name of the petitioner appears in this case during the course of investigation out of the confessional statement of co-accused Saiyed Ali Raza Hashmi, where in furtherance of which no incriminating material recovered/surfaced during the course of investigation as to connect the petitioner prima-facie with present occurrence of robbery. It is submitted that the petitioner has not put on T.I.P, as yet. It is also submitted said co-accused namely, Sayed Ali Raza Hasmi was granted bail by this Court through Cr. Misc. No. 40939 of 2024 vide order dated 11.06.2024. While concluding the argument, it is submitted that the investigation of this case is completed and as such, there is no chance of tampering with the evidence, moreover, petitioner is found involved in five more criminal cases where he is on bail in maximum of cases and in most of the cases his name transpired on the basis of confessional statement as of present case having no evidentiary value.



6. Learned APP opposes the prayer of bail.

7. In view of the aforesaid facts and submission and by taking note of the fact that save and except suspicion arising out of confessional statement of the co-accused nothing prima-facie appears incriminating against petitioner as to connect with present case of robbery coupled with fact that investigation of this case is already completed, where petitioner is in custody since 08.04.2024, accordingly, petitioner above named, is directed to be released on bail in connection with Kotwali P.S. Case No. 161 of 2024 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Patna/concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C/ Section 480(3) of BNSS.

(Chandra Shekhar Jha, J)

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