

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64142 of 2024

Arising Out of PS. Case No.-265 Year-2023 Thana- NAUGACHIA District- Bhagalpur

Md. Kasim @ Kasim @ Mojim S/o- Md. Ulfat @ Ulfat Village- Noor Nagar,
P.S.- Sanhaulla, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Jha, Advocate
For the Opposite Party/s : Mr. Anil Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 11-09-2024 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 Naugachia P.S. Case No. 265 of 2023
registered for the offences under Section 392 of
the Indian Penal Code.

3. The petitioner is named in the F.I.R. and
is in custody since 15.09.2023.

4. The allegation against the petitioner is
to commit robbery alongwith other co-accused
persons and while committing so looted one
mobile phone belongs to the informant.



5. Learned counsel appearing on behalf of the petitioner submitted that petitioner has been falsely implicated with the present case as his name surfaced in the present case on the basis of his self-inculpatory statement as made in Dholbajja (Kadwa) P.S. Case No. 79 of 2023. It is further submitted that, in furtherance of his confessional statement no incriminating material recovered/surfaced, so as to connect this petitioner *prima facie* with the present occurrence of robbery. It is submitted that petitioner was not put on T.I.P., as yet. While concluding the argument it is submitted that petitioner found involved in seven more criminal cases of similar nature, where in maximum number of the cases his name transpired out of confessional statement/self confession, as of the present case having otherwise no evidentiary value under law and moreover, investigation of this case has already completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.



6. Learned APP appearing on behalf of the State, opposes the prayer for bail.

7. In view of aforesaid facts and circumstances as mentioned above and by taking note of the fact as save and except suspicion arising out of self-confession of petitioner, where nothing incriminating recovered, so as to connect this petitioner, *prima facie*, with the present occurrence of robbery, coupled with the fact as petitioner is in custody since 15.09.2023, where charge-sheet has already submitted, accordingly, petitioner, above named, is directed to be released on bail in connection with Naugachia P.S. Case No. 265 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 Judicial Magistrate 1st Class, Naugachia/concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J.)

S.Tripathi/-

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