

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68227 of 2024

Arising Out of PS. Case No.-53 Year-2024 Thana- CHAKIA District- East Champaran

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Anmol Kumar Giri, S/o Rakesh Giri, Resident of Village - Balami Sirisiya,
P.S. - Kalyanpur, District - East Champaran

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

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

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

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 22-11-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The accused/petitioner seeks bail in connection
with Chakiya P.S. Case No.53 of 2024 registered for the
offences punishable under Sections 392 read with 34 of the
Indian Penal Code.

3. The accused/petitioner is not named in the FIR
and is in custody since 14.05.2024.

4. The allegation against the petitioner is to commit
robbery along with other co-accused persons and while
committing so, looted cash of Rs.5,11,000/- from the
informant.

5. It is submitted by learned counsel appearing for



the petitioner that name of petitioner transpired during the course of investigation on the basis of confessional statement of co-accused, namely, Mithilesh Kumar Yadav, where in furtherance of same, no incriminating material surfaced/recovered during the course of investigation against the petitioner as to connect him *prima facie* with present case of robbery. It is further submitted that petitioner was not put on T.I.P. While concluding argument, it is submitted that investigation of this case is already completed, for which, charge-sheet has been submitted and, as such, there is no chance of tampering with the evidence and moreover the petitioner found involved in only one case, where he is on bail.

6. Learned APP while opposing the prayer for grant of bail to the petitioner submitted that petitioner appears to be involved in two cases as per impugned order and, therefore, the same be verified at the time of acceptance of bail bonds.

7. In view of aforesaid facts and circumstances, and by taking note of fact as save and except suspicion arising out of confessional statement of co-accused, nothing



incriminating recovered *prima facie* as to connect the petitioner with present occurrence of robbery, coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 14.05.2024, accordingly, the petitioner, above-named, is directed to be released on bail furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, East Champaran at Motihari in connection with Chakiya P.S. Case No.53 of 2024, subject to the conditions as laid down under Section 437(3) of the CrPC/under Section 480(3) of the BNSS.

8. Learned trial court is directed to verify the criminal antecedent of petitioner and if he found involved in another case except Motipur P.S. Case No. 41 of 2024 his bail bond shall not be accepted.

(Chandra Shekhar Jha, J.)

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