

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.6302 of 2025**

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

Raju Patel @ Bhaiya Ji S/O Lalan Patel @ Lalan Chaudhary R/o Village-  
Titihi, P.S.- Tehsil, District- Balia (U.P.)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Ms. Kumari Jyoti, Adv

For the Opposite Party/s : Mr. Shantanu Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA**  
**ORAL ORDER**

2      07-02-2025                      Heard the parties.

2. The petitioner seeks bail in connection with Kotwali P.S. Case No. 161 of 2024 registered for the offence under Section 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 10.07.2024.

4. The allegation against the petitioner is 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 some looted jewellerys were recovered from this petitioner. In this connection it is submitted that none of the jewellerys were put on T.I.P. for identification of the informant, so petitioner cannot be connected *prima-facie* with the present occurrence. It is also submitted that petitioner was not put on TIP as yet. It is also submitted that 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 and moreover, petitioner found involved in three more criminal cases, where he is on bail in maximum of cases, where in most of the cases his name transpired on the basis of confessional statement as of the



present case having no evidentiary value under law.

6. Learned APP opposes the prayer of bail.

7. In view of the aforesaid factual 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, so as to connect petitioner, *prima-facie* with present case of robbery, coupled with fact that investigation of this case is already completed, where petitioner is in custody since 10.07.2024, 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.)**

S.Tripathi/-

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