

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79628 of 2024

Arising Out of PS. Case No.-231 Year-2024 Thana- SAKRA District- Muzaffarpur

Md. Azad @ Tammne, Son of Md. Masor @ Md. Mansur @ Mohammad
Mansur @ Md. Mansor, Resident of Village- Sabaha (Sabha), P.S.-Sakra,
District- Muzaffarpur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Ms. Nitu Kumari, Advocate

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

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 22-01-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The accused/petitioner seeks bail in connection
with Sakra P.S. Case No.231 of 2024 registered for the
offence punishable under Sections 397 read with 34 of the
Indian Penal Code and Section 27 of the Arms Act.

3. The accused/petitioner is not named in the FIR
and is in custody since 06.07.2024.

4. The allegation against the petitioner is to commit
robbery along with unknown co-accused persons and while
committing so, alleged to looted Rs. 15 lakhs belongs to the
informant. It is also alleged that the informant received gun
shot injury during the occurrence.



5. It is submitted by learned counsel appearing for the petitioner that the name of petitioner transpired during the course of investigation on the basis of confessional statement of co-accused Raja Kumar. It is submitted that save and except suspicion arising out of confessional statement of co-accused, nothing survives against this petitioner and also in furtherance thereof, no incriminating materials recovered/surfaced as to connect the petitioner *prima facie* with present occurrence of robbery.

6. It is further submitted that petitioner was not put on T.I.P. as yet. 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 petitioner found involved in one more criminal case, where he is on bail.

7. Learned APP opposes the prayer for grant of bail to the petitioner.

8. In view of aforesaid facts and circumstances, as save and except suspicion arising out of confessional



statement of co-accused, nothing surfaced against the petitioner during investigation as to connect him *prima facie* with present occurrence of robbery, coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 06.07.2024, 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 A.C.J.M.-15th (East), Muzaffarpur in connection with Sakra P.S. Case No.231 of 2024, subject to the conditions as laid down under Section 437(3) of the CrPC/under Section 480(3) of the BNSS.

(Chandra Shekhar Jha, J.)

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