

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.126 of 2025**

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

Balendra @ Balendra Kumar S/o Laldev Sahani, R/o village- Mahabal, P.S.-  
Motipur, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Dhannjay Kumar II, Advocate

For the Opposite Party/s : Ms.Pronoti Singh, APP

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

2      23-01-2025                      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  
  
Chakiya P.S. Case No. 53 of 2024 registered for the offences  
  
under Section 395 of the Indian Penal Code.

3. The petitioner is not named in the F.I.R. and is in  
  
custody since 14.05.2024.

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

5. Learned counsel appearing on behalf of the



petitioner submitted that petitioner implicated with present case only on the basis of suspicion arising out of confessional statement of co-accused Mithilesh Kumar Yadav, where in furtherance of which, no incriminating material recovered/surfaced during the course of investigation as to connect petitioner *prima facie* with present occurrence of robbery. It is pointed out that said co-accused Mithilesh Kumar Yadav has already granted bail by this Court through Cr. Misc. No. 64146 of 2024 dated 11.09.2024. It is further submitted that petitioner was not put on TIP as yet. While concluding the argument, it is submitted that petitioner found involved in one more criminal case, where he is on bail and, moreover, investigation has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

6. Learned APP opposes the prayer of bail.

7. In view of the facts and circumstances as save and except suspicion arising out of confessional statement of co-accused, nothing incriminating appears to be recovered so as to connect petitioner *prima facie* with the present



occurrence of robbery, coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 14.05.2024, accordingly, petitioner, above named, is directed to be released on bail in connection with Chakiya P.S. Case No. 53 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 Chief Judicial Magistrate, Motihari, East Champaran/concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C./ 480(3) of the BNSS.

(Chandra Shekhar Jha, J)

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