

Mitendra Kumar vs The State Of Bihar on 29 January, 2025

Author: Chandra Shekhar Jha

Bench: Chandra Shekhar Jha

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83775 of 2024
Arising Out of PS. Case No.-442 Year-2024 Thana- HISUWA District-
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Mitendra Kumar, Son of Basdev Singh, Resident of village-Chhathu Chak,
PS- Govrichak, District- Patna

... .. Petit

Versus

The State of Bihar

... .. Opposite Par

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Appearance :

For the Petitioner/s : Mr. Shailendra Kumar, Advocate
For the Opposite Party/s : Mr. Sanjay Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 29-01-2025

Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. The accused/petitioner seeks bail in connection with Hisua P.S. Case No.442 of 2024 registered for the offences punishable under Sections 310(2), 317(3) of the Bhartiya Nyaya Sanhita (for short 'B.N.S.') as well as Sections 25(1-B)a, 26 and 35 of the Arms Act.
3. The accused/petitioner is not named in the FIR and is in custody since 08.08.2024.
4. The allegation against the petitioner is to commit dacoity along with other co-accused persons and while committing so, looted bullet motorcycle of the informant.
5. It is submitted by learned counsel appearing for Patna High Court CR. MISC. No.83775 of 2024(3) dt.29-01-2025 petitioner that name of the petitioner transpired during the course of investigation on the basis of suspicion arising out of confessional statement of co-accused Goldy Singh @ Kumar Abhijyot, where in furtherance of same, no incriminating material recovered/surfaced during the course of investigation, which may connect the petitioner prima facie with present occurrence of dacoity. It is submitted that petitioner has not put on T.I.P. as yet. While concluding argument, it is submitted that the petitioner found involved in two more criminal cases, where he is on bail and moreover, investigation of this case is completed, for which, charge- sheet has been submitted and, as such, there is no chances of tampering with the evidence.

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

7. In view of aforesaid factual submissions, as save and except suspicion arising out of confessional statement of co-accused Goldy Singh @ Kumar Abhijyot, nothing incriminating materials surfaced/recovered during the course of investigation as to connect the petitioner prima facie with Patna High Court CR. MISC. No.83775 of 2024(3) dt.29-01-2025 present crime in question, coupled with the fact that investigation of this case is completed, where petitioner is in custody since 08.08.2024, 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.-VI, Nawada in connection with Hisua P.S. Case No.442 of 2024, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure (for short 'CrPC')/under Section 480(3) of the Bhartiya Nagrik Suraksha Sanhita (for short 'BNSS').

(Chandra Shekhar Jha, J.) Sanjeet/-

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