

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.29857 of 2015

Arising out of PS.Case No. -135 Year- 2014 Thana -PUSA District- SAMASTIPUR

Babloo Singh @ Randhir Kumar Singh, S/o Rbindra Prasad Singh, resident of village - Belsandi, P.S. Chakmehsi, District – Samastipur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Bijay Bhushan Prasad, Advocate.

For the Opposite Party : Mr. Shyam Kumar Singh(App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 16-10-2015 Heard learned counsel for the petitioner and learned counsel for the State

The petitioner is languishing in custody since 15.11.2014 in connection with Pusa P.S. Case No. 135 of 2014 for the offences instituted under Section 392 of the IPC.

The prosecution story, in brief, is that one Rajeev Kumar, the informant, gave his fardbeyan before the police on 08.11.2014 at about 11.30 hours, alleging therein that on the same day, at about 11.05 hours, on the direction of the Branch Manager, the informant alongwith one peon Bashista Kumar with Blue colour Bag having Rs.11,00,000/- bundle of thousand rupees were going to deposit the same at Punjab National Bank of Rajendra Agriculture University Branch and as and when both of them



came out from his branch and tried to start his motorcycle parked behind the road, in the meantime, one miscreant put pistol on the informant from his back and other one put pistol on the neck of the said peon. It is further alleged that both the miscreants were not covered their faces. It is further alleged that the miscreants who were behind the informant tried to fire upon him but the pistol stepped on the earth and on thrust the one cartridge came out, miscreant bent to put it hold, who was identified by the informant, the informant gave deceptions of the miscreants. The miscreants threatened the informant to hand over the bag. In the meantime, another miscreant fired in air, out of fear, the informant handed over the money bag to the miscreants, thereafter, all of them fled away by riding on the white colour Bolero.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. The petitioner is in custody since 15.11.2014 and the charge sheet has been submitted in the case. There is no allegation of tampering with the evidence against the petitioner. The petitioner is not named in the FIR. The petitioner has been implicated in the present case on the basis of clipping of the C.C.T.V. which indicates that on the alleged date of occurrence, the petitioner was also seen in the bank. The petitioner has not been put on T.I. Parade. There is no recovery of

any incriminating article from possession of the petitioner. It is further submitted that the petitioner may be released on bail after completion of one year in custody from 15.11.2014.

On behalf of the State it has been submitted that the petitioner is not named in the F.I.R.

Considering the aforesaid facts and circumstances, it is directed that the petitioner may be released on bail after completion of one year in custody from 15.11.2014 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned J.M. Ist Class, Samastipur, in connection with Pusa P.S. Case No. 135/2014.

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(Sudhir Singh, J)