

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.21767 of 2016

Arising out of PS.Case No. -5 Year- 2016 Thana -DHANAHAN District- WEST
CHAMPARAN(BETTIAH)

Sunil Yadav, Son of Ramchandra Yadav, resident of village - Kaulachi,
Police Station Chautarwa, District - West Champaran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Brij Kishor Mishra, Advocate.
For the Opposite Party : Mr. Rajendra Singh Shastry (App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 01-08-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody since 05.03.2016
in connection with Dhanaha P.S. Case No. 05 of 2016 for the
offences instituted under Sections 395 and 397 of the IPC. Later
on, Sections 412 and 216(A) of the IPC were also added.

The prosecution story, in brief, is that the informant
alongwith driver of the vehicle and guard proceeded to S.B.I.
Padrauna Branch for withdrawal of Rs. 20,00,000/-. After 1.45
P.M., the informant alongwith his staff was returning back of his
branch after receiving the cash Rs. 20,00,000/-, at about 3.00



P.M., when the informant and his staff reached near the village-Samaerwa, one vehicle dashed the vehicle of the informant. Both vehicles were stopped. Thereafter five miscreants came with small arms. On protest by guard, miscreants opened fire over the informant and his arms guard and snatched the arms from the guard and they have looted away the entire money and fled away from two motorcycles.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 05.03.2016 and the charge sheet has been submitted in the present case. There is no allegation of tampering with the evidence against the petitioner. The petitioner has got no criminal antecedent. Except for confessional statement of a co-accused there is no other material against the petitioner. The petitioner has not been put on T.I. Parade to ascertain his implication in the present case. There is no recovery of any looted article from possession of the petitioner.

On behalf of the State it has been submitted that the name of the petitioner has come in course of investigation. He further submits that Rs. 20,00,000/- of the Bank has been looted by the accused persons.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner. The same is rejected in

Dhanaha P.S. Case No. 05/2016, pending in the court of the
learned A.C.J.M., Bagaha, District- West Champaran .

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(Sudhir Singh, J)

