

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15810 of 2017

Arising Out of PS.Case No. -150 Year- 2016 Thana -KAJI MUHAMMADPUR District-
MUZAFFARPUR

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Jyoti Kumar @ Rakesh Ranjan S/o Late Lalan Prasad Singh resident of
mohalla Shivpur P.S. Gardanibag, District Patna.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Binod Kumar Singh, Advocate.

For the Opposite Party/s : Mr. Suresh Prasad Singh, APP.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR

JHA

ORAL ORDER

3 09-05-2017

Heard both sides.

The petitioner seeks bail in Kazimohamadpur P.S.

Case No. 150 of 2016 registered under Section 395 of the Indian
Penal Code and later on Section 412 of the Indian Penal Code was
added.

The informant lodged the case against the unknown
for committing dacoity in the Axis Bank in which Rs. 36,23,386/-
was looted.

Learned counsel for the petitioner submits that the
name of the petitioner figured in the case in the confessional
statement of Mantu Kumar Singh and on such, Rs. 3,22,000/-
with slip of Axis Bank is said to have been recovered. It is



submitted that it is improbable that even after looting money, the petitioner kept the cash along with the slip of Axis Bank. The petitioner has not been put on Test Identification Parade (T.I.P), although the informant and other bank officials claimed to identify the accused persons on being shown.

But from the perusal of the case diary, it appears that Mantu Kumar Singh and Mahesh Patel were suspected in the dacoity in Axis Bank. Mahesh Patel confessed his guilt and disclosed the name of Mantu Kumar Singh and Sunil Sah. Mahesh Patel took the police to the house of Mantu Kumar Singh who also confessed his guilt. In pursuance thereof, 9 lakhs rupees was recovered. Mantu Kumar Singh disclosed the name of the petitioner and also disclosed that the money was kept in the house of Dayanand Prasad Gupta situated in the village Lagartoli Chauraha, Pirbahor, Patna. On such, house of Dayanand Prasad Gupta was also searched and 5 lakhs rupees was recovered along with the slips of Axis Bank. They disclosed the name of the petitioner and thereafter, the house of the petitioner was also searched and under the bed of the petitioner, Rs. 3,32,000/- with the slip of the Axis Bank was recovered.

Considering the facts aforesaid that in pursuance of the confessional statement of Mahesh Kumar Patel, the looted



money was recovered from different persons including the house of the petitioner, I am not inclined to enlarge the petitioner on bail. Accordingly, the same is rejected.

The learned trial court is directed to expedite the trial and conclude the same within nine months from the date of receipt of a copy of this order.

Senior Superintendent of Police, Muzaffarpur is directed to ensure the attendance of the witnesses in the trial court, so that the trial must be concluded within nine months from the date of receipt of a copy of this order.

Let a copy of this order be sent to the learned trial court as well as the Senior Superintendent of Police, Muzaffarpur for information and needful action.

(Prabhat Kumar Jha, J)

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