

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.6311 of 2017

Arising Out of PS.Case No. -80 Year- 2016 Thana -HAJIPUR SADAR District-
VAISHALI(HAJIPUR)

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Uday Kumar son of Pradeep Bhagat, R/o village- Kutubpur, P.S.- Bidupur,
District- Vaishali Petitioner

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Digamber Kr. Singh

For the Opposite Party/s : Mr. Sri Kumar Ranjit Ranjan

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 17-03-2017 Heard learned counsel for the petitioner and learned counsel
representing the State.

Petitioner seeks bail in connection with Hajipur Sadar P.S. Case
No. 80 of 2016 registered for the offences punishable under Sections
395, 397 IPC in which Section 412 IPC was added later on.

Allegedly, six unknown criminals entered into Axis Bank and
looted away cash of Rs. 8,27,927/-, mobile and also beaten some staff
of the bank.

Submission is of false implication and that the petitioner is not
named in the first information report but in course of investigation the
petitioner was apprehended by the Police and firearms and cash of Rs.
45,000/- was recovered from the house of the petitioner and thereafter,
the petitioner was remanded in the present case on 03.06.2016 and
since then he is in custody but no TIP was conducted. The petitioner is
accused in only one case and as such he deserves sympathetic
consideration. It is further submitted that in this case similarly situated



co-accused Md. Nizam and Mukesh Kumar have been allowed bail by different Benches of this Court vide Cr. Misc. No. 1505 of 2017 and 54019 of 2016 respectively.

Learned APP opposes the prayer of bail by pointing out the recovery of looted amount from the house of the petitioner and further the petitioner has also confessed his guilt.

In the facts and circumstances stated above, considering that other co-accused have been allowed bail, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Hajipur Sadar P.S. Case No. 80 of 2016, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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