

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38179 of 2019

Arising Out of PS. Case No.-269 Year-2018 Thana- KUDHNI District- Muzaffarpur

Sadhusharan Singh, Son of Ramashish Bhagat, Resident of Village-
Bamantoli, P.S.-Garaul, District- Vaishali

... .. Petitioner

Versus

1. The State of Bihar
2. Smt. Pragya Priya, Branch Manager, Chandrahi Branch, State Bank of India,
Muzaffarpur.

... .. Opposite Parties

Appearance :

For the Petitioner : Mr. Umesh Chandra Verma, Advocate
For the Opposite Party : Mr. Anand Mohan Prasad Mehta, APP
For the Opposite Party No.2: Mr. Santosh Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

6 20-11-2019 Heard learned counsel for the petitioner, learned

counsel for the State and learned counsel for the opposite party

no.2.

The petitioner seeks bail in connection with
Kudhani P.S. Case No.269 of 2018 registered under Section 395
of the Indian Penal Code.

It is contended by the learned counsel for the
petitioner that the first information report was registered against
unknown. The petitioner was apprehended in course of
investigation on the ground that Rs.40,000/- was recovered from
his possession. The amount so recovered from possession of the
petitioner is not a tainted money. The currency notes were never
put on test identification parade. There is also no identification



mark on those currency notes on the basis of which any adverse inference can be drawn. It is further contended that till date the petitioner has not been put on test identification parade. He is in custody since 11.10.2018. Lastly, it is contended that co-accused Nagendra Mahto and Pankaj Kumar Pandit @ Pankaj Kumar having more or less identical allegation have already been granted bail.

Per contra, learned counsel for the State being assisted by the learned counsel for the opposite party no.2 submitted that the petitioner has been apprehended in a case of bank robbery wherein more than Rs.18,00,000/- was looted by unknown miscreants. He contended that name of the petitioner transpired in course of disclosure made by a co-accused and he himself had also confessed his guilt. The currency notes recovered from the possession of the petitioner were the looted money.

Regard being had to the facts and circumstances of the case specially the fact that neither currency notes in question nor the petitioner has been put on test identification parade and some other co-accused have already granted bail, the petitioner is directed to be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand only) with two sureties of the



like amount each to the satisfaction of learned 3rd Additional Chief Judicial Magistrate, West Muzaffarpur in connection with Kudhani P.S. Case No.269 of 2018 subject to the following conditions:-

(a) that the petitioner shall attend court in accordance with the conditions of the bond executed, and

(b) that the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

(Ashwani Kumar Singh, J.)

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