

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71769 of 2019**

Arising Out of PS. Case No.-318 Year-2018 Thana- MAHUA District- Vaishali

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Sandesh Kumar @ Kallu Son of Rajgir Ray Resident of Village - Rajapakar
utarwari tola par, P.S.- Rajapakar, Distt - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Surendra Prasad Singh

For the Opposite Party/s : Mr.Ahmad Ali

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER**

2 20-11-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case
registered for the offences punishable under Sections 395 and
397 of the Indian Penal Code.

It is alleged that on 05.10.2018 at 1.00 P.M. at the
customer service centre of Bank of India, Madhopur Branch
three motorcycles borne criminals came variously armed and
robbed amount of Rs.70,000/- from the bank and also took away
a mobile phone belonging to one of the customers present in the
bank. Subsequently, two persons namely, Munil Kumar and
Arun Kumar were apprehended, who disclosed the name of the



other co-accused persons including the petitioner.

It is submitted by learned counsel for the petitioner that except confessional statement of the apprehended co-accused persons, there is no material against the petitioner and recovery has not been made from possession of the petitioner. A statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that the petitioner is named by the apprehended two co-accused persons from the spot.

Considering the fact that there is no recovery from the possession of the petitioner and statement being made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on anticipatory bail **till conclusion of the investigation**, in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali, Hajipur in connection with Mahua P.S. Case No. 318 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

The prosecution will be at liberty to file appropriate



application for cancellation of bail of the petitioner, if the
petitioner fails to cooperate in investigation.

(Dinesh Kumar Singh, J)

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