

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.64022 of 2018

Arising Out of PS. Case No.-13 Year-2017 Thana- CHANDAN District- Banka

Neeraj Kumar @ Satyendra Das @ Styendra Das, Son of Yugeshwar Das,
Resident of Village- Pahra (Paharbali), P.S. Parraiya, District- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Anupam Purty, Asst. Branch Manager, State Bank of India, Branch, Chandan,
P.S.- Chandan, District- Banka.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Jha

For the Opposite Party/s : Mr. Shailendra Kumar -2

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

4 09-01-2019 Heard learned counsel for the petitioner and
learned APP for the State.

The petitioner seeks bail in connection with
Chandan P.S. Case No. 13 of 2017 registered under Section 395
of the Indian Penal Code.

Six-Seven unknown miscreants are said to have
intruded into the State Bank of India, Branch Chandan and
making CCTV camera defunct and the employees of the Bank
captive looted away Rs. 39,7480/-

It is submitted by learned counsel for the
petitioner that the petitioner is quite innocent and has committed



no offence. He has no concern with the aforesaid occurrence. He is neither named in the FIR nor was apprehended on the spot. He was not put on TIP. No incriminating article has been recovered from his conscious physical possession. There is only confessional statement of the informant recorded by the police, which has no evidentiary value in the eye of law. Barring the aforesaid confessional statement, there is nothing in the record indicating the complicity of the petitioner in the occurrence. The aforesaid confessional statement has not led to any recovery. The recovery of some cash and ornaments said to have been made from the petitioner which is found figured in the case diary is not in connection with the case under hand rather in connection with Magadh Medical P.S. Case No. 213 of 2016 and the petitioner has been enlarged on bail in the aforesaid Magadh Medical P.S. Case. Though two more criminal cases have been lodged against the petitioner, but he is on bail in the said cases. Petitioner has been languishing in custody since 04.05.2018 and co-accused, namely, Nashim Khan @ Nasim Khan, has been enlarged on bail by a co-ordinate Bench of this Court vide order dated 12.01.2018 passed in Cr. Misc. No. 254 of 2018.

On the other hand, learned counsel for the S.B.I.



and learned APP for the State opposing the bail prayer of the petitioner submitted that the petitioner has made confessional statement regarding his complicity in the occurrence, but both the learned counsel could not negate the submission of learned counsel for the petitioner regarding alleged recovery of cash and articles from the possession of the petitioner not in connection with the case under hand rather in connection with Magadh Medical P.S. Case No. 213 of 2016.

In the facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Banka in connection with Chandan P.S. Case No. 13 of 2017

(Prakash Chandra Jaiswal, J)

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