

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13037 of 2020

Arising Out of PS. Case No.-66 Year-2019 Thana- BALIGAON District- Vaishali

MD. PYARE Son of Abdul Raheem @ A. Raheem Resident of Village -
Gauspur Sarsauna, P.S.- Bangra, District - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arshad Jamil Hasmi

For the Opposite Party/s : Mr. Ashok Kumar

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 02-06-2020 Heard the learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks regular bail in connection
with Baligaon PS case no. 66 of 2019 instituted for the offences
punishable under Section 392/34 of Indian Penal Code.

The brief facts of the case are that the informant
along with his brother is stated to be running a Customer
Service Centre of State Bank of India at village-Kuria (Chowk,
PS-Baligaon, Dist-Vaishali) for the last four years and on
10.07.2019 at about 3.30 pm, while his brother Arun Kumar,
after withdrawing the money from Bachuara ATM, had arrived
at the Customer Service Centre, Kuria for disbursing the same,
four miscreants on two motorcycles arrived there, who had
concealed their faces by clothes and thereafter, the said



miscreants had entered inside the Customer Service Center brandishing their pistol and had taken away a sum of Rs. 73,500/- in cash and on alarm being raised, they fled away.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case. It is further submitted that the petitioner is having a clean antecedent and is languishing in custody since 02.10.2019. It is further submitted that co-accused persons have already been granted the privilege of regular bail by co-ordinate Benches of this Court vide orders dated 01.06.2020 passed in Cr. Misc. no. 4698 of 2020 and the one dated 23.01.2020 passed in Cr. Misc. no. 3975 of 2020. Lastly, it is submitted that neither the looted cash amount has been recovered from the petitioner nor he has been put on T.I. parade so as to connect him with the alleged crime and merely on the confessional statement of the co-accused person, he has been falsely implicated in the present case.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Considering the aforesaid facts and circumstances of the case, the submissions made by the learned counsel for the petitioner and taking into account the parity of the case of the



petitioner with that of the co-accused persons who have already been granted bail by co-ordinate Benches of this Court, I deem it fit and proper to direct for release of the petitioner on regular bail upon him furnishing personal bond to the satisfaction of learned A.C.J.M.-16-Sub-Judge 17 Hajipur, Vaishali in connection with Baligaon PS case no. 66 of 2019.

It is further directed that once the lock-down is over and normal situation is restored, the petitioner, above named, shall furnish bail bonds of a sum of Rs. 10,000/- with two sureties of the like amount each, within a period of four weeks, to the satisfaction of learned A.C.J.M.-16-Sub-Judge 17 Hajipur, Vaishali in connection with Baligaon PS case no. 66 of 2019, failing which the present privilege of bail being extended to the petitioner shall stand revoked automatically.

(Mohit Kumar Shah, J)

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