

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.15626 of 2020**

Arising Out of PS. Case No.-684 Year-2019 Thana- MUZAFFARPUR SADAR District-  
Muzaffarpur

=====

Rahul Kumar (Male), aged about 22 years, Son of Jai Narayan Prasad @  
Pappu Ray Resident of Village- Bara, Sumera, P.S.- Kurhani (Turki O.P.),  
District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Ram Babu Rai, Advocate

For the Opposite Party/s : Mr. Md. Arif, APP

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**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH**  
**ORAL JUDGMENT**

**Date : 15-06-2020**

The matter has been heard *via* video conferencing due  
to lockdown imposed on account of the COVID-19 pandemic.

2. Heard Mr. Ram Babu Rai, learned counsel for the  
petitioner.

3. As Mr. Rajiv Nayan, learned Additional Public  
Prosecutor (hereinafter referred to as the 'APP') for the State,  
who was assigned the brief, did not appear, at the request of the  
Court, Mr. Md. Arif, learned APP has been heard.

4. The petitioner is in custody in connection with  
Sadar PS Case No. 684 of 2019 dated 05.10.2019 instituted  
under Sections 395/397 of the Indian Penal Code

5. The allegation against the petitioner, though not  
named in the FIR, is that he along with five others had looted a  
Bank and taken away cash of more than Rs. 8,00,000/-.



6. Learned counsel for the petitioner submitted that he is innocent and has been falsely implicated. He submitted that no witness has identified the petitioner and only on the confessional statement of one Osama, who was arrested, three persons, including the petitioner have been made accused. Learned counsel submitted that though the police have recovered Rs. 50,000/- cash from his house but the money belongs to his father who had sold his Bullet motorcycle. Learned counsel submitted that the petitioner has no other criminal antecedent and is in custody since 07.12.2019. It was further submitted that two other persons whose name were also taken by co-accused and from whom, too, there is recovery of cash, have been granted bail in Cr. Misc. No. 11071 of 2020 (Saurav Thakur @ Saurav Kumar) by order dated 28.02.2020 and in Cr. Misc. No. 14544 of 2020 (Rahul Kumar @ Chetan) by order dated 03.03.2020.

7. Learned APP submitted that there has been robbery of over Rs. 8,00,000/- from the Bank and co-accused has confessed and has taken the name of the petitioner and from him Rs. 50,000/- has been recovered.

8. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let



the petitioner be released on bail upon furnishing bail bonds of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Muzaffarpur in Sadar PS Case No. 684 of 2019, subject to the conditions (i) that one of the bailors shall be a close relative of the petitioner, (ii) that the petitioner and the bailors shall execute bond with regard to good behaviour of the petitioner, and (iii) that the petitioner shall also give an undertaking to the Court that he shall not indulge in any criminal activity, not tamper with the evidence or influence the witnesses. Any violation of the terms and conditions of the bonds or the undertaking shall lead to cancellation of his bail bonds. The petitioner shall cooperate in the case and be present before the Court on each and every date. Failure to cooperate or being absent on two consecutive dates, without sufficient cause, shall also lead to cancellation of his bail bonds.

9. The application stands disposed off in the aforementioned terms.

**(Ahsanuddin Amanullah, J)**

Anjani/-

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