

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16138 of 2020

Arising Out of PS. Case No.-16 Year-2019 Thana- MAIGRA District- Gaya

AWADHESH KUMAR YADAV Son of Baramdev Yadav Resident of Village-
Hesatu, P.S.-Kundra, District-Chatra.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.S. Jamil Akhtar

For the Opposite Party/s : Mr.Ramchandra Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

7 13-10-2020 Heard Mr. S. Jamil Akhtar, learned counsel appearing on behalf of the petitioner and Mr. Ramchandra Singh, learned Additional Public Prosecutor, for the State of Bihar.

This application for grant of regular bail arises out of Maigra P.S. Case No. 16/19, registered for the offence punishable under Section 392 of the Indian Penal Code.

The informant runs a Customer Service Point (CSP) of the Punjab National Bank. During the hours of monetary transactions in the kiosk of the CSP, allegedly, three miscreants entered into the cash counter and brandishing firearms, they scared staffs and the customers and robbed off cash of Rs.1,90,000/- and certain other articles from the CSP. As they had covered their faces, they could not be identified by the informant.

Case diary has been called for, soft copy of which is



available on record.

It appears from the case diary that the persons present at the place of occurrence, supported the manner of occurrence. The petitioner's name surfaced during the course of investigation. It transpires that on the condition of anonymity, some persons disclosed the names of the miscreants, who had committed the offence, based on which the investigation had proceeded.

It also appears from the case diary that the petitioner was apprehended in connection with Kothe P.S. Case No. 36/19, registered for the offences punishable under Section 384/140 of the Indian Penal Code and Section 25(1-B)a/26/35 of the Arms Act. During interrogation, he confessed his involvement before the police in that case and in the present case also. It also transpires that co-accused Rajesh Kumar also confessed his involvement in the present case.

Considering the nature of allegation and the incriminating materials collected in course of investigation, in my opinion, it appears that the petitioner has been found by the police to be member of a gang involved in commission of such offences, with co-accused Bhola Yadav as the kingpin. Bhola Yadav has also been apprehended by the police, who has, in his



confessional statement, given a detailed description of his involvement and manner of occurrence.

Considering the gravity of offence, I am not inclined to grant the petitioner privilege of regular bail for the present.

This application is dismissed.

It is directed that the defect(s) in the application, pointed out by the Registry, must be removed within two months.

Since COVID-19 Pandemic situation is prevailing, the Court has considered it appropriate to adopt following procedure for communication of the present order :-

(i) The order, which has been dictated during the course of the proceedings of virtual Court, shall be communicated to me on my e-mail I.D. by the Secretary.

(ii) The corrected copy of the order shall be transmitted by me from my e-mail I.D. to the Secretary, which shall be treated to be the authentic copy of the order passed by this Court today in the present proceeding.

(iii) Hard copy of the order, duly signed by me, shall be preserved in my residential-office for documentation and future use, if any.

(iv) Let a copy of the order be communicated to the



learned Court below through e-mail or any other appropriate electronic mode by the Registry.

Let steps be taken by the Registry for uploading of the present order without compromising with the norms of social distancing.

(Chakradhari Sharan Singh, J)

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