

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28153 of 2020**

Arising Out of PS. Case No.-218 Year-2020 Thana- MUZAFFARPUR SADAR District-
Muzaffarpur

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RAJNISH THAKUR @ APPU THAKUR, Male, aged about 36 years, S/o
Dinesh Thakur, Resident of Village- Patahi Roop, P.S.- Sadar, District-
Muzaffarpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr.Sanjay Kumar @ S.K., Advocate.
For the Opposite Party : Mr. Shakir Ahmad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 14-12-2020 Due to COVID-19 Pandemic, the matter is being
taken up by way of virtual Court proceeding.

The matter has been listed under the heading ‘For
Orders’ under the orders of Hon’ble the Chief Justice.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in a case for the offence
registered under Sections 395 and 397 of the I.P.C. Later on,
Sections 400, 412, 414 and 427 of the I.P.C. were also added.

The prosecution story, in brief, is that on 22.04.2020
at about 1.42 P.M., three unknown criminals with pistol in their
hands and the faces covered by Mask, Towel and Helmet
entered in Bank of India, Bhagwanpur Chowk Branch,



Muzaffarpur, one by one and took over the Security Guard and snatched his arms and assaulted him and also to customers of the said Branch and broke the Mobiles. Thereafter, they snatched Rs. 2,61,600/- from the drawer of the Head Cashier and also took the keys of the vault and moved towards the vault with the cashier. When the vault could not be opened by the keys then the criminals entered into the Cabin of the Branch Manager and asked for the keys and in the meantime, they damaged the Computer of the C.C.T.V. and also damaged the Computer kept on the table of the Branch Manager. Another criminal snatched the keys from the Assistant Manager, Smt. Kriti Bharti, and got the cash vault opened and took Rs. 11,00,000/- kept in it. Altogether they looted Rs. 13,61,600/- from the Bank and also looted the money and other items from the customers.

It has been submitted by learned counsel for the petitioner that the petitioner is in custody since 18.05.2020. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The petitioner is not named in the F.I.R. The name of the petitioner has transpired in the present case on the basis of confessional statement of co-accused, namely, Munna Thakur @



Subhash Thakur. The petitioner has not been put on T.I. Parade to ascertain his participation in the alleged occurrence.

On behalf of the learned counsel for the State, it has been submitted that the accused persons committed dacoity in the Bank. Subsequently, the name of the petitioner has come in the present case in course of investigation. Total Rs. 13,61,600/- was looted from the Bank. Out of them, Rs. 5,46,000/- alongwith pistol is said to have been recovered from possession of the petitioner.

Considering the aforesaid facts and circumstances of the case, I am not inclined to grant bail to the petitioner. The same is rejected in connection with Sadar P.S. Case No. 218 of 2020, pending in the court of learned C.J.M., Muzaffarpur.

Learned court below is directed to take all necessary steps to conclude the trial preferably within a period of nine months from the date of receipt/production of copy of this order.

(Sudhir Singh, J)

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