

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.12877 of 2021**

Arising Out of PS. Case No.-156 Year-2020 Thana- PAROO District- Muzaffarpur

Lokesh Kumar Son of Late Bindeshwar Thakur Resident of Fardogola,
Bhagwanpur, P.S. - Sadar, District - Muzaffarpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar @ S.K., Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

3 25-08-2021 Learned counsel for the petitioner undertakes to remove all the defects as pointed out by office within four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr. Chandra Bhushan Prasad, learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with Paroo P.S. Case No. 156 of 2020 registered for the offences punishable under Section 395 of the Indian Penal Code.

Learned counsel for the petitioner submits that the F.I.R. has been lodged by the Branch Manager of the State Bank of India, Lalu Chhapra Branch who has alleged that on 17.03.2020 when he opened the branch office altogether six

miscreants entered inside the bank and out of them three persons were standing outside the bank whereas three persons entered inside and on the point of pistol they looted away Rs. 2,53,760/- together with the rubber stamps and certain stationeries which were lying near the cash counter. Learned counsel submits that age of all the miscreants has been provided in between twenty-thirty years whereas this petitioner is fifty seven years old.

Learned counsel further submits that the petitioner is not named in the F.I.R. in connection with bank dacouty and the co-accused whose name transpired in this case have been granted bail by learned co-ordinate Benches of this Court.

On the other hand, learned A.P.P. for the State submits that name of this petitioner has transpired in course of investigation. He has made a confessional statement in paragraph '83' of the case diary wherein he has admitted that the co-accused Appu Thakur who had allegedly looted the bank and money may be recovered from his house. In paragraph '84' of the case diary it has come that from the house of this petitioner a sum of Rs. 70,000/- which was looted away from bank bearing the seal of the S.B.I., Lalu Chhapra Branch, Muzaffarpur has been recovered from his possession. The petitioner has got criminal antecedents as stated in paragraph '3' of the application

and the cases are under Sections 395, 400/412 of the Indian Penal Code read with Sections 25(1-b)a, 26 and 35 of the Arms Act. Learned A.P.P. also submits that in course of raid on the basis of confessional statement money has also been recovered from the possession of Appu Thakur. One pistol and three live cartridges were also recovered from the possession of the petitioner.

Considering the facts and circumstances of the case, this being a case of bank dacoity and there are materials coming from possession of this petitioner indicating his involvement in the alleged loot of the bank, this Court is not inclined to release the petitioner on bail. Prayer for bail is, thus, refused.

Let the trial be expedited.

If the trial remains unconcluded for one year for no reason attributable to the petitioner, he may renew his prayer for bail.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.