

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24357 of 2021

Arising Out of PS. Case No.-1052 Year-2019 Thana- NAGAR District- Vaishali

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Raushan Kumar @ Raushan Kumar Swarnkar, Son of Sitaram Prasad @
Sitaram Sahu, R/O Village- Bajitpur, Ward No.1, P.S.- Manigachhi
(BAJITPUR O.P.), District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ravi Ranjan, Adv.

For the Opposite Party/s : Mr.Abhay Kumar Roy, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 02-11-2021 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 397, 412, 201 and 120(B) of
the Indian Penal Code.

Prosecution case, in brief, is that fardbeyan of
Subodh Kumar Singh, who is working as Branch Manager of
'Muthoot' Finance Company' branch at Hajipur Cinema Road
alleged that on 23.11.2019 he was working at branch alongwith
his staff. At about 12.35 pm 6 to 7 unknown miscreants entered
into the branch and looted 55.777 kg. Gold and Rs.50,000/- cash
from the locker. They also looted mobile phone of staff.

Learned counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in this case. He submits that the petitioner is not named in the FIR. During investigation, on the basis of confessional statement of co-accused, the petitioner has been made accused in this case. There is no any incriminating articles has been recovered from the conscious possession of the petitioner. There is recovery of incriminating articles from co-accused, namely, Shanti Devi, who has been granted bail by a Co-ordinate Bench of this Court vide order dated 17.12.2020 passed in Cr. Misc. No. 33729/2020.

Learned counsel for the petitioner further submits that the petitioner has given his confessional statement as mentioned in para-11 of the case diary that he has purchased the looted gold. The petitioner is languishing in judicial custody since 02.01.2021. The petitioner has got no criminal antecedent, which is mentioned in para 3 of the bail petition. The similarly situated co-accused have been granted bail by different co-ordinate Benches of this Court by Annexures 4, 5, 6 and 7 of the bail application.

Learned APP for the State vehemently opposed the prayer for bail application.

Considering the aforesaid facts and circumstances of



the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees twenty five thousand) with two sureties of the like amount each in connection with Hajipur Town P.S. Case No. 1052/2020 to the satisfaction of learned Court below where the case is pending/ successor Court.

(Anjani Kumar Sharan, J)

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