

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3981 of 2021

Arising Out of PS. Case No.-246 Year-2019 Thana- BENIPATTI District- Madhubani

PREM KUMAR CHAUDHARY S/o Sanjay Prasad Chaudhary Resident of
Village - Ahiyapur Chakmahammad, P.S. - Benipatti, District - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar Pandey

For the Opposite Party/s : Mr. Jitendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 22-06-2021 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State, through Video
Conferencing.

The petitioner seeks regular bail in connection with
Bennipatti Police Station Case No. 246 of 2019, registered for
the offence punishable under Section 394 of the Indian Penal
Code.

The prosecution story, as per the First Information
Report, is that on the date of occurrence, four miscreants entered
into the office of Bharat Finance Inclusive Limited, Benipatti
branch and looted a sum of Rs. 1,37,274/- on the gun point and
the accused persons assaulted the other staffs of the company
and had also taken away a sum of Rs. 1,65,598/- from them
along with mobile phones and tab.



Learned Counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and he has falsely been implicated in this case on the basis of the confessional statement of co-accused Reet Lal Mallick and the petitioner has been remanded in this case from another case, bearing Samastipur Mufassil Police Station Case No. 466 of 2019. He next submits that no incriminating and/or looted article has been recovered from the possession of the petitioner and the petitioner has not been put on Test Identification Parade up-till now despite the fact that he is in custody since 05.02.2020. He next submits that co-accused persons, namely, Vikas Kumar (by order, dated 13.10.2020, passed in Criminal Misc. No. 26347 of 2020) and Rahul Singh (by order, dated 12.04.2021, passed in Criminal Misc. No. 272 of 2021) have been granted bail by co-ordinate benches of this Court.

Having heard learned Counsel for the parties and taking into consideration the materials on record and the fact that similarly situated co-accused persons have been granted bail by this Court and no incriminating and/or looted article has been recovered from the possession of the petitioner, I am inclined to grant regular bail to the petitioner.

This application is, accordingly, allowed.



Let the petitioner, above named, be released on bail, upon furnishing bail bonds of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned 1st Additional Chief Judicial Magistrate, Benipatti, Madhubani, in connection with Benipatti Police Station Case No. 246 of 2019.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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