

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40363 of 2020**

Arising Out of PS. Case No.-218 Year-2020 Thana- DAUDNAGAR District- Aurangabad

SURENDRA PASWAN, son of Raj Kumar Paswan, Resident of Village
Bardih, Police Station Imamganj, District Gaya

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Tribhuwan Narayan
For the State	:	Mr. Nagendra Prasad

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER**

4 14-06-2021 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
Daudnagar Police Station Case No. 218 of 2020, registered for
the offences punishable under Sections 395/397 of the Indian
Penal Code.

The prosecution story, as per the First Information
Report, is that some unknown miscreants entered into the Indian
Bank, Jiniriya Branch and committed dacoity on the gun-point
and looted away a total amount of Rs. 64,00,000/-.

Learned Counsel for the petitioner submits that the
First Information Report has been lodged against unknown. He
further 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 other co-accused person. He next submits that the sum of Rs. 2,00,000/-, which has been recovered from the scorpio vehicle, belongs to the petitioner and the said amount is not the looted amount from the Indian Bank and there is no evidence against the petitioner to connect him with the alleged dacoity. He further submits that the petitioner is in custody since 07.08.2020, having no criminal antecedent.

On the other hand, learned Additional Public Prosecutor vehemently opposes the prayer for regular bail and referring to the case diary, he submits that in course of investigation, the police found *prima facie* evidence against the petitioner and his involvement in the alleged offence and the sum of Rs. 2,00,000/-, which has been recovered from the vehicle of the petitioner, is having the flap of Indian Bank, as contained in paragraph 199 of the case diary. He, thus, submits that *prima facie* evidence has come against the petitioner in course of investigation, He further submits that it has come to light in course of investigation that the petitioner was having direct contact with other co-accused persons, from whose possession also, the looted amount was recovered.



Having heard learned Counsel for the parties and taking into consideration the materials on record and the fact that a sum of Rs. 2,00,000/-, which has been recovered from the vehicle belonging to the petitioner, is having the flap of Indian Bank, in which the dacoity was committed by eight unknown miscreants, I am not inclined to grant regular bail to the petitioner.

This application is, accordingly, dismissed

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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