

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39758 of 2020

Arising Out of PS. Case No.-280 Year-2018 Thana- CHOUTARWA District- West
Champaran

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Jacki Rao @ Abhishek Kumar Rao @ Abhishek Rao, Male, aged about 30 years, Son of - Mithilesh Rao @ Mithlesh Rao @ Mithileshwar Rao, Resident of Village- Babu Parsauni, P.S.- Chautarwa, District- West Champaran (Bettiah).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Lokesh Kumar Singh, Advocate
For the State : Mr.Madhura Nand Jha, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 12-03-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with
Chautarwa P.S. Case No. 280 of 2018 registered for the offence
punishable under Section 392 of the Indian Penal Code.

The prosecution case is that the informant of this case
Vinod Singh, son of Yogendra Singh gave his written statement
before S.H.O. of Chautarwa Police Station stating therein that
on dated 10.12.2018 when he and his friend Aditya Chaubey
were returning after taking Rs.2,34,000/- and 2,24,000/-
respectively from Lauriya Main Branch for their S.B.I. Grahak
Seva Kendra in the meanwhile four accused persons armed with



pistol and boarded on two motorcycles overtook them in the way and snatched the above mentioned amount at gun point.

Learned counsel for the petitioner submits that the petitioner is not named in the F.I.R. On the basis of confessional statement of co-accused, the petitioner has been made accused in the present case. He further submits that till date, no T.I.P. has been held and no incriminating article has been recovered from the conscious possession of the petitioner. Petitioner is in jail custody since 22.08.2020 and similarly situated co-accused have been granted bail vide order dated 09.09.2020 passed in Cr. Misc. No.18048 of 2020 and vide order dated 02.12.2020 passed in Cr. Misc. No.31380 of 2020.

Learned A.P.P. for the State opposed the bail petition.

In the facts and circumstances of the case, let the above named petitioner be enlarged on bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) only with two sureties of the like amount each to the satisfaction of learned 1st Additional Chief Judicial Magistrate, Bagaha, West Champaran (Bettiah) in connection with Chautarwa P.S. Case No. 280 of 2018, subject to the following conditions :

(1) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.



(2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

(3) The petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(4) The petitioner shall co-operate with the investigation, if not already concluded and make himself available and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Anjani Kumar Sharan, J)

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