

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29088 of 2021

Arising Out of PS. Case No.-304 Year-2020 Thana- BARAUNI District- Begusarai

DURGA KUMAR Son of - Kailash Mahto Resident of - kamruddinpur, P.S. -
Muffasil, District - Begusarai.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pritish Kumar Lal, Advocate

For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 23-02-2022 Heard Mr. Pritish Kumar Lal, learned counsel for the

petitioner and Mr. Nawal Kishore Prasad, learned Additional

Public Prosecutor appearing for the State.

Petitioner seeks regular bail in connection with
Barauni P.S. Case No. 304 of 2020 registered for the offence
punishable under Sections 392, 397 of the Indian Penal Code
1860, Sections 25(1-b)a and 26 of the Arms Act.

The allegation in nutshell is that four masked
miscreants had entered into the jewellery shop of the informant
and looted ornaments and cash to the total value of
Rs.3,00,000/- on the gun point.

Learned counsel for the petitioner submits that the
petitioner has got no criminal antecedent and he has falsely been
implicated in this case on the basis of confessional statement



made by co-accused Ramgati @ Larha. He further submits that no looted article has been recovered from the possession of the petitioner and he has not been put on Test Identification Parade also. Petitioner is in custody since 24.12.2020 and charge sheet has already been submitted.

On the other hand, learned counsel for the State referring to the case diary submits that in the confessional statement the co-accused has stated that the petitioner had provided his Motorcycle for the purpose of recce of the place of occurrence and he was one of the accused who participated in the occurrence.

Regards being had to the submission made by the parties and taking into consideration the materials on record, the fact that the petitioner has got no criminal antecedent and except the confessional statement no other material has come against the petitioner, he is in custody since 24.12.2020 and charge sheet has already been submitted, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bonds of Rs.25,000/- (Twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate,



Begusarai, in connection with Barauni P.S. Case No. 304 of 2020.

It is made clear that at the time of furnishing bail bonds all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J)

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