

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26157 of 2022

Arising Out of PS. Case No.-156 Year-2020 Thana- PAROO District- Muzaffarpur

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Ankush @ Chusna Son Of Sanjeev Chaudhary Resident of Village - Kela Bari
barauni, Ward No.04, P.s.- Teghra, Distt.- Begusarai.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Arun Kumar, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 12-08-2022 Heard learned counsel for the petitioner and learned
APP for the State in Virtual Court Proceeding.

Let the defect(s), if any, as pointed out by the
office, be removed within four weeks.

The petitioner is in custody in connection with
Paru P.S. Case No. 156 of 2020 under section 395 of the Indian
Penal Code.

As per the allegation in the FIR, the Branch
Manager of the State Bank of India, Lalu Chapra, Muzaffarpur
has alleged that on 17.3.2000, altogether six accused persons
barged into his branch. While three remained outside, the other
three came inside the Bank and after putting all the staffs on
hold on the gun point, it is alleged that they looted Rs.
2,53,760/- besides the rubber stamp and other articles of the



Bank. The informant has further alleged that because of the fact that they were masked, they could not be recognized. He however stated that all the criminals were between 20-23 of age and had come in two splendor motorcycles. Accordingly, the present FIR came to be lodged. Later, during the course of investigation, on the basis of confessional statement of the co-accused including Badal Kumar, the name of the petitioner has cropped up and thereafter he has been remanded in the present case on 22.7.2021 (as stated in para-14 of the bail application).

Learned counsel for the petitioner submits that he is only 22 years of age and only son of farmer-father and wants to pursue his career but the same is being ruined due to his implication in robbery cases. He further submits that the other co-accused including the person namely Badal Kumar who gave confessional statement naming this petitioner as accused in this case have since been released on bail vide [Cr. Misc. No. 29573 of 2020 (Babul Kumar), Cr. Misc. No. 14075 of 2021 (Gaurav Anand), Cr. Misc. No. 17178 of 2021 (Rajnish Chaudhary), Cr. Misc. No. 9872 of 2021 (Badal Kumar), Cr. Misc. No. 35657 of 2021 (Rajnish Thakur) and Cr. Misc. No. 7977 of 2022 (Rishikesh Kumar Thakur) Annexure -2] series and he as such submits that a chance should be given to him to reform himself



and get out of this mess.

Considering the fact that the name of the petitioner has cropped up during the course of investigation in the confessional statement of Badal Kumar who has since been enlarged on bail, this petitioner has been remanded in this case on 22.7.2021, charge-sheet stands submitted and he has to ultimately face the trial, this Court is inclined to grant him the privilege of bail with strict conditions considering the nature of allegation made against him as also he has criminal antecedent.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned A.C.J.M.-IIIrd, Muzaffarpur, in connection with Paru P.S. Case No. 156 of 2020 subject to the following conditions:

(i) one of the bailors should be the family members of the petitioner, who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reasons will entail his cancellation of bail by the Trial Court itself;

(iii) he shall appear before the concerned police



station every fortnight for next six months to mark his presence;

(iv) he shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of his bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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