

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.37563 of 2021**

Arising Out of PS. Case No.-468 Year-2020 Thana- BARAUNI District- Begusarai

Ayush Raj S/O Sunil Kumar R/O village- Sandalpur, Sanichra Asthan, P.S.-  
Bahadurpur, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Raj Krishan Jha, Advocate.

For the Opposite Party/s : Mr. Satyendra Narayan Singh, APP.

**CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR**  
**ORAL ORDER**

3      20-06-2022                      Learned counsel for the petitioner is permitted to remove defect(s), as pointed out by the office, if any, within a period of four weeks from today.

Heard Mr. Raj Krishan Jha, learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

The application for grant of bail to the petitioner, above named, who has been made accused and put behind the bar in connection with Barauni (Garhara) P. S. Case No. 468 of 2020 registered for the offences punishable under Sections 394 and 397 of the Indian Penal Code.

As per the prosecution case, it is alleged that on 03.12.2020 four unknown criminals took the Manager, Staff and other persons in branch of S.B.I Thakurichak Branch, Begusarai



at hostage on gun point and looted Rs. 4,91,200/- . It is also alleged that all the accused persons also looted the mobile phones of the customers and staffs and also broke the CCTV sets etc.

Learned counsel appearing on behalf of the petitioner submitted that the petitioner is not named in the F.I.R. and his name has transpired on the confessional statement of co-accused persons Karan Kumar, Mantu Kumar and Om Prakash. However, all the three accused persons were put on T.I.P. but they have not been identified by the informant. It is further submitted that the co-accused Om Prakash, on whose confession, the name of the petitioner has come, has been granted bail by a co-ordinate Bench of this Hon'ble Court in Cr. Misc. No. 41861 of 2021 vide order dated 24.05.2022. A copy of which has been placed before this court and the same has been taken on record. It is next submitted that after institution of this case, the petitioner has been remanded in one another case, in which he has already been granted bail. It is lastly submitted that though it is alleged that from the house of the petitioner Rs. 7500/- currency note has been recovered but the same has not been put on T.I.P. for its identification.

On the other hand, learned APP for the State



opposes the bail application and submits that during the course of investigation, active participation of the petitioner has come and looted currency note has been recovered.

Having considered the submissions made on behalf of the parties and taking into account the fact that though the petitioner has been made accused on the basis of the confessional statement of co-accused persons, who were put on T.I.P., but have not been identified by the informant in as much as the person on whose confession the name of the petitioner has come has already been granted bail by a co-ordinate Bench of this Hon'ble Court and this petitioner himself surrendered on 27.01.2021 and is in custody since then, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai in connection with Barauni (Garhara) P. S. Case No. 468 of 2020, subject to the condition that one of the bailors will be the close relative of the petitioner with further conditions which are as follows:-

- (i) The petitioner will cooperate in conclusion of the trial.
- (ii) He will remain present on each and every date of



trial till disposal of the case.

- (iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.
- (iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(Harish Kumar, J)

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