

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38192 of 2021**

Arising Out of PS. Case No.-665 Year-2019 Thana- MUZAFFARPUR SADAR District-
Muzaffarpur

=====

Anuj Kumar @ Bittu Son of Late Ashok Jha Resident of Village- Khabra
Minj Tola, near Brahm Asthan, P.S.- Sadar, District- Muzaffarpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

=====

Appearance :

For the Petitioner/s : Mr.Shivam, Advocate

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

=====

CORAM: HONOURABLE MR. JUSTICE A. M. BADAR

ORAL ORDER

4 09-03-2022 The applicant is an accused in Crime No. 665 of 2019

registered with Sadar Police Station for the offences punishable

under sections 395 and 412 of the Indian Penal Code.

Heard learned counsel for the applicant. He submits
that the applicant was not subjected to Test Identification Parade
and his own amount of Rs. 45000/- came to be recovered from
him.

The learned APP opposed the application by
contending that there is recovery from the applicant.

Earlier the bail application of the applicant was
rejected with liberty to the applicant to renew his request if the
trial is not completed in nine months. The said order of the
coordinate Bench is dated 25.6.2020.



I have considered the submission so advanced and also perused the material placed before me.

The First Information Report is lodged by Manager of the Reserve Bank of India, named Dilip Kumar Goshwami. He has reported armed dacoity in the Reserve Bank of India from where apart from valuables, an amount of Rs. 612330/- came to be robbed and as per version of the first informant, 7-8 armed dacoits stormed in the Bank and looted cash as well as gold ornaments and valuable coins from the Bank.

Investigation of the subject crime is over. The applicant was not put the Test Identification Parade. No evidence is pointed out to connect recovered amount of about Rs. 45000/- with that of looted cash.

In this view of the matter and as the trial is not over within nine months' time granted by the coordinate bench of this Court, I seen no reason to refuse bail to the applicant, therefore, the order.

I. The application is allowed.

II. The applicant/accused in Crime No. 665 of 2019 registered with Sadar Police Station is directed to be released on bail on executing P.R. Bond of Rs. 15,000/- (Fifteen Thousand) on furnishing two sureties of the like amount to the



satisfaction of the trial court with the following conditions:-

(I) The applicant/accused should not extend any threat, promise of inducement to the persons acquainted with the facts of the accusation against him so as to dissuade him from disclosing such facts to the Court or to any police officer.

(II) The applicant/accused should cooperate the trial in expeditious disposal of the trial against him.

(III) The applicant/accused should not contact the members of the prosecuting party as well as witnesses in this case in any manner till conclusion of the trial.

(IV) The applicant should not repeat commission of similar offence in future and if he is found to be involved in commission of similar offence, the State is at liberty to apply for cancellation of bail granted to the applicant in the instant case.

The applicant to remove all office objections forthwith and the Registry to issue certified copy of this order only after removal of office objections by the applicant/accused.

(A. M. Badar, J)

Ravi/-

U		T	
---	--	---	--

