

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41118 of 2021

Arising Out of PS. Case No.-154 Year-2020 Thana- BEUR District- Patna

Ajit Patel, Son of Chandeshwar Patel Resident of Village- Khorampur,
Mahnar, P.S. - Mahnar, District - Vaishali. at present Rajiv Nagar, Road No.
-24, P.S. - Rajiv Nagar, District - Patna.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jay Ram Prasad, Advocate

For the Opposite Party/s : Mr. Ajit Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

8 24-08-2022 From perusal of the record it appears that vide order dated 08.08.2022, a report was called for about stage of the trial, the same has been submitted from which it appears that the case is pending for prosecution.

The Superintendent of Police, Patna is directed to produce remaining prosecution witnesses on the date fixed by the learned trial Court without fail.

Taking into consideration the fact that the trial has been delayed for non-examination of prosecution witnesses and the petitioner, who is an under trial cannot be denied to press for bail before this Court. The matter is now being heard on merits.

Heard Mr. Jay Ram Prasad, learned counsel for the petitioner and Mr. Ajit Kumar, A.P.P. for the State.

Let the defect(s) be removed within two weeks of the



complete start of the physical Court in normal course.

The petitioner seeks regular bail in connection with Beur P.S. Case No. 154 of 2020, registered for the offence punishable under Section 395 of the Indian Penal Code, pending in the Court of learned Chief Judicial Magistrate, Patna.

The prosecution story in brief is that about Rs. 52,58,500/- was looted from the Punjab National Bank, New Bypass Road, Anishabad Branch. The F.I.R. is against unknown.

Learned counsel for the petitioner submits that petitioner is innocent and on his own confessional statement while he was remanded in connection with Beur P.S. Case No. 184 of 2020, he was made accused in the present case also. He further submits that confessional statement made before the Police in the Police custody has no evidentiary value. The petitioner has not been put on T.I.P. The Chargesheet has already been submitted. The petitioner is in custody since 19.10.2020 and on these grounds, the petitioner seeks to be released on bail.

Learned A.P.P. for the State vehemently opposed the prayer for grant of bail to the petitioner and submitted that in broad day light, the petitioner along with his gang committed dacoity in the Punjab National Bank, New Bypass Road, Anishabad Branch and on the basis of his confessional Rs.



90,000/- looted amount was recovered from the house of the petitioner. The petitioner has accepted his guilt, which is also supported by other co-accused Akash Kumar and as such it would not be in the interest of the society to release the petitioner on bail. The petitioner has admitted in paragraph no.3 of the bail application that other criminal cases are also pending against him.

Considering the fact that as a consequence of the confessional statement made by the petitioner laid to the recovery of the looted amount of Rs. 90,000/- from the house of the petitioner. This Court is not inclined to enlarge the petitioner on bail. Accordingly, the prayer for grant of regular bail is rejected.

However, the learned trial Court is directed to conclude the trial expeditiously, well within a period of one year from today.

(Purnendu Singh, J)

manish/-

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

