

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.42346 of 2021**

Arising Out of PS. Case No.-296 Year-2018 Thana- RANIGANJ District- Araria

Chhotu @ Hasib @ Md. Hasib, S/O Sadik @ Tarif, Resident of Bairiya, Ward  
No. 8, Police Station-Narpatganj, District-Araria.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

For the Petitioner : Mr.Arun Kumar Mandal, Advocate  
For the Opposite Party : Mr.Ganesh Prasad Singh, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD**  
**ORAL ORDER**

5      13-04-2022                      Heard learned counsel for the petitioner and Mr.  
Ganesh Prasad Singh, learned A.P.P. for the State.

Petitioner, in the present case, is seeking regular bail in connection with Raniganj P.S. Case No. 296 of 2018 registered for the offences punishable under Section 395 of the Indian Penal Code. He is in custody since 17.09.2019. The petitioner has got three criminal antecedents as stated in paragraph '3', however, learned counsel for the petitioner has informed that the petitioner has been recently acquitted by the Hon'ble Division Bench of this Court in Criminal Appeal (DB) No. 1500 of 2019 arising out of Narpatganj P.S. Case no. 348 of 2013.

As per the prosecution story, the informant has alleged that he was posted as D.B.O. in Bandhan bank, D.S.E.



Branch, Raniganj and while he along with others were returning after collecting money of the Bank, in the meantime, six accused persons with three motorcycles surrounded him and looted Rs. 3,43,649/-, two HHD machine and other articles and fled away towards S.H. 76 Bhargama.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case. Learned counsel submits that the name of the petitioner has transpired in the confessional statement of co-accused Ranjan Kumar Yadav and no looted article has been recovered from the possession of the petitioner.

Learned A.P.P. for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the submissions that this petitioner is not named in the F.I.R., his name has transpired in the confessional statement of the co-accused Ranjan Kumar Yadav, no looted article has been recovered from the possession of the petitioner, he has not been put on Test Identification Parade and there is no identification of the petitioner, he is languishing in jail since 17.09.2019, still the case is fixed for supply of police papers, this Court directs release of the petitioner above named on bail on furnishing of bail bond of Rs. 25,000/- (Rupees



Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria in connection with Raniganj P.S. Case No. 296 of 2018, subject to the condition as laid down under Section 437 (3) Cr.P.C.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

**(Rajeev Ranjan Prasad, J.)**

Rajeev/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

