

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38456 of 2022

Arising Out of PS. Case No.-243 Year-2019 Thana- SHEOHAR District- Sheohar

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Balindra Rai @ Balindra Kumar S/o- Sri Ramlakhan Rai R/V- Turki, P.S.-
Meenapur, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar Sinha, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 23-09-2022 Heard learned counsel appearing on behalf of the

petitioner and learned APP appearing on behalf of the State

through virtual Court proceedings.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Sheohar
P.S. Case No. 243 of 2019 registered for the offence under
Sections 395, 412 and 120B of the Indian Penal Code.

The accused/petitioner is not named in the F.I.R. and
is in custody since 06.05.2022.

The allegation against the petitioner is to commit
dacoity, and while committing so, looted away 32,33,760/-
(Rupees Thirty Two Lakh Thirty Three Thousand Seven
Hundredes Sixty) belongs to the informant, alongwith other co-



accused persons.

Learned counsel appearing on behalf of the petitioner submitted that name of the petitioner surfaced on the basis of confessional statement of co-accused, namely, Dheeraj Kumar, where nothing incriminating surfaced, during the course of investigation, against this petitioner. It is submitted that the car alleged to be purchased from the looted money, in fact, was purchased on 15.09.2019 after obtaining bank loan, much prior to this occurrence and, as such, it cannot be gathered that it was purchased from looted money. It is submitted that petitioner was never put on T.I.P. as yet. It is further submitted that petitioner is implicated in this case only for the reason that he is the brother of the main co-accused, namely, Vikash Kumar. While concluding the argument, it is submitted that investigation in this case is complete for which chargesheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State, while opposing the prayer of bail, fairly conceded the fact that petitioner is not named in the F.I.R.

In view of the facts and circumstances, as mentioned above, as the car, which was alleged to be purchased from looted money, was purchased by the petitioner much prior to the



present occurrence after obtaining bank loan coupled with the fact that chargesheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Sheohar P.S. Case No. 243 of 2019 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sheohar/concerned Court, subject to the conditions as laid down u/s 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

Ankit/-

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