

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62702 of 2021**

Arising Out of PS. Case No.-104 Year-2021 Thana- ARA MUFFSIL District- Bhojpur

Aryan Raj @ Rahul Kumar S/O Sunil Singh R/O Village-Gausganj, P.S.-Ara
Town, District-Bhojpur At Ara

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Surj Bansh Roy
For the Opposite Party/s : Mr .Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 18-04-2022 Let the defects, if any, be removed within four
weeks from today.

Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered in
connection with Ara Muffasil P.S.Case No. 104 of 2021 for
the offences punishable under Sections 25(1-b)a, 26 35 of
the Arms Act

As per the prosecution case, it is alleged that on
27.04.2021, police received information that some unknown
miscreants are committing dacoity at Pirauta Punjab
National Bank. The police rushed to the place of



occurrence, entered into the bank, found a person falling on the ground and one desi Katta has been recovered from his possession. It is further alleged that on inquiry from CCTV footage, it transpired five persons entered into the Bank committed dacoity and fled away.

It is submitted on behalf of the learned counsel for the petitioner that petitioner is not named in the F.I.R nor any incriminating material has been recovered from possession of this petitioner. Further the name of the petitioner has come on the confessional statement of co-accused Amit Kumar @ Vicky Kumar and though this petitioner is in custody since 22.06.2021 but he has not been put on TIP till date. It is also submitted that with regard to the same occurrence, three F.I.R has been instituted against the petitioner. Petitioner has also been found involved in one Ara Town P.S. Case No. 09 of 2016 in which this petitioner is on bail. It is lastly submitted that on co-accused namely, Nitish Kumar Sinha @ Golu Singh having similar allegation, whose name has also been transpired on the confessional statement of co-accused has been granted bail by this Court in Cr. Misc.no.59699 of 2021 vide order dated



13.04.2022.

The learned A.P.P opposed the prayer for bail of the petitioner.

Having heard the rival contentions of the parties and taking into consideration the fact that the name of the petitioner has come on the confessional statement of co-accused and he has not been identified in CCTV footage that he entered into the Branch for committing dacoity. During the course of investigation, it appears that role has been assigned to the petitioner as a guard to watch the movement outside the Bank. Apart from the fact that another co-accused persons, having similar, allegation have already been granted bail by this Court, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 25,000/- (Twenty five Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhojpur at Ara in connection with Ara Muffasil P.S.Case No. 104 of 2021, subject to the condition that one of the bailors will be the close relatives 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)

N.K/-

U			
---	--	--	--

