

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55066 of 2022

Arising Out of PS. Case No.-365 Year-2022 Thana- KHAJANCHI HAT District- Purnia

Raju Kumar Choudhary S/O Ashok Chaudhary R/o Mohalla- Navratan
Chowk, Ward no. 34, P.S.- Sadar Purnea, Distt- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Niraj Kumar, Adv.

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 17-11-2022 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel for the informant.

The petitioner seeks regular bail in connection with K.
Hat (Madhubani) P.S. Case No. 365 of 2022 lodged under
Sections 392, 406, 420, 409, 379, 411 and 120(B) of the I.P.C.

As per the prosecution case, the informant has
disclosed that he is the owner of Alok Enterprises involved in
the business of cement and iron wholesale dealer. It has been
alleged that his staff namely, Dhananjay Chandra Das has
informed him on mobile that at the time of returning with
collection of business money, 4 unknown criminals by 2
motorcycles on the gun point have looted Rs. 18.5 lac from his

bag. With this allegation the present F.I.R. has been filed by the informant.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel further submits that Annexure-2 is basically the confessional statement of the staff of the informant that he himself made planning of the said loot but in the said confession, he has also disclosed the name of the present petitioner. Counsel further submits that the petitioner is a broker of land and he has attached Annexure-3 with this petition by which he is showing that on the same day, he has received money from the vendee. As such, the money which has been recovered from the petitioner has been duly explained. Counsel for the petitioner also annexed Annexure-4 by which it is clear that charge sheet has not been filed against him under Section 392 of I.P.C. rather it has been filed under another Sections.

Learned counsel for the State opposes the prayer for bail.

Learned counsel for the informant vehemently opposes the prayer for bail and submits that he is the victim of this case. Such type of crime cannot take place only by one person and as per the confession, there is involvement of the

present petitioner in this case.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Purnea in connection with K. Hat (Madhubani) P.S. Case No. 365 of 2022, subject to the conditions as laid down under Section 437(3) of Cr.P.C.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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