

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67549 of 2021

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

Amit Kumar @ Vicky Son Of Narendra Kumar Gupta Resident Of Village -
Gausganj, P.S.- Aranagar, Distt.- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Malti Kumari

For the Opposite Party/s : Mr.Kumar Veerendra Narayan

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 Punjab National Bank,
Piraunta. 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, the police came to



know that five persons entered into the Bank and 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 basis of self confessional statement and petitioner is in custody since 27.07.2021 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. 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 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. Apart from the fact that another



co-accused persons, having similar, allegation has 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-VII, 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)

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