

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12304 of 2022

Arising Out of PS. Case No.-458 Year-2021 Thana- NAGAR District- Vaishali

PRABHAT KUMAR @ GOLU SON OF PAPPU KUMAR SINGH R/O
VILLAGE- KESHOPUR PIPRI, P.S.- SAKRA, DISTRICT-
MUZAFFARPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 29579 of 2022

Arising Out of PS. Case No.-458 Year-2021 Thana- NAGAR District- Vaishali

OM PRAKASH @ UPENDRA S/o Jagarnath Singh R/o village- Sahdullapur,
Ward No. 06, P.S.- Sakra, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 12304 of 2022)

For the Petitioner/s : Mr.Pramod Kumar Singh

For the Opposite Party/s : Mr.Yogendra Kumar Singh

(In CRIMINAL MISCELLANEOUS No. 29579 of 2022)

For the Petitioner/s : Mr.Pramod Kumar Singh

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 14-02-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioner has prayed for bail in a case instituted
for the offence under Section 395, 412 of the Indian Penal Code.

As per allegation in the FIR, four miscreants entered
into the HDFC Bank and two accused with guns in their hand



arrived near the cash counter and committee loot of Rs. 1,19,60,777/- on pistol point and fled away by motorcycle. It is further alleged that they took several Adhar cards, driving license and pass books of the employee. Thereafter, the present FIR has been lodged against unknown by Bank Manager.

It is submitted by learned counsel for the petitioners that petitioners have been falsely implicated in this case. They are innocent. Petitioner is not named in the FIR. On the basis of confessional statement of co-accused Md. Arman, the name of the petitioners have been dragged in the present case and at his instance, petitioner was arrested. By applying force, police took the signatures of the petitioners on blank paper and the same was manufactured as self confessional statement by the police. No TIP has been conducted by the police. Petitioners are languishing in judicial custody for more than six months.

The application for bail is opposed by learned APP for the State and learned counsel for the informant and submitted that from Sasural of petitioner Om Prakash, Rs. 16,00,000/- was recovered in 32 packets (Rs. 500 X 100 piece) bearing stamp of HDFC Bank and he was identified in C.C.T.V. footage and from the house of petitioner Prabhat Kumar, 16,50,000/- was recovered in 33 packets (Rs. 500 X 100 piece) bearing



stamp of HDFC Bank.

Having heard the learned counsel for the parties and considering the involvement of the petitioners in bank dacoity, this court is not inclined to enlarge the petitioners on bail and, as such, their prayer for bail stands rejected.

The trial court is directed to expedite and conclude the trial.

(Sunil Kumar Panwar, J)

sushma/-

U			
---	--	--	--

