

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25851 of 2023

Arising Out of PS. Case No.-578 Year-2019 Thana- HAJIPUR SADAR District- Vaishali

Banti Kumar @ Aakash Kumar @ Akash Kumar S/O Pashupati Patel @
Pashupati Rai @ Pashupati Kurmi Rai R/O Village- Mednimal Katra, P.S-
Hajipur Town, Distt.- Vaishali At Hajipur.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Anjani Kumar Jha, Advocate

For the Opposite Party/s : Mr. Anand Kishore Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 23-05-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with
Hajipur Sadar P.S. Case No. 578 of 2019 dated 30.08.2019,
instituted for the offences punishable under Section 397 of the
Indian Penal Code.

3. The prosecution case in short is that on
30.08.2019, at about 02:00 pm, five unknown miscreants with
guns entered informant's Branch Office of Sri Ram Finance
and looted cash of Rs. 6,21,800/- from the cash counter on
gun point and also injured one of the colleagues of the
informant.

4. Learned counsel for the petitioner submits that



the petitioner is innocent and he has falsely been implicated in this case. It is submitted that the petitioner is not named in the F.I.R. and on the basis of confessional statement of co-accused, the petitioner has been made accused in this case. It is further submitted that F.I.R. has been lodged against the five unknown persons, in which four of them has already been granted bail by different co-ordinate Benches of this Court, whose details are annexed as Annexure-2 series, in this bail petitioner. Lastly, it has been submitted that the petitioner is in custody since 30.11.2022 has two cases against him and charge-sheet has been submitted in the case.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Vaishali in Hajipur Sadar P.S. Case No. 578 of 2019 subject to the following conditions:-

- i. Petitioner shall co-operate in the trial and shall be properly represented on each and



every date fixed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife.

iii. The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

iv. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Khatim Reza, J)

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