

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26383 of 2023

Arising Out of PS. Case No.-306 Year-2022 Thana- PAHARPUR District- East Champaran

Ajit Prasad Son of Yadolal Prasad R/v- Ram Nagar Bankat, PS- Majhauriya,
Dist- West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Branch Manager, Punjab National Bank, Nawadih, Sataha, PS-
Paharpur, Dist- East Champaran Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anuj Kumar, Advocate

For the Opposite Party/s : Mr. Rajeev Nayan, App, 231

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 3 25-05-2023 1. Heard learned counsel for the petitioner and the learned
APP for the State.
2. Petitioner seeks regular bail in connection with Paharpur
P.S. Case No. 306 of 2022 dated 25.08.2022 registered for the
offences punishable under Sections 395 and 412 of Indian Penal
Code and Sections 25(1-b)a, 26 and 35 of Arms Act.
3. As per the prosecution, the informant who is Branch
Manager of Punjab National Bank, Sataha alleged that five
masked unknown persons, armed with pistol and dagger, looted
Rs. 13,20,770/- (Thirteen lakhs twenty thousand seven hundred
and seventy) from the cashier cabin of the said bank. It is further
alleged that one accused was caught at the spot by the chaukidar

and local persons who disclosed his name as Ajit Prasad (petitioner) and three accused persons managed to flee away and one other co-accused was caught by the police who disclosed his name as Amit Kumar and from his possession looted money, one loaded country-made pistol, one mobile phone, live cartridge and one dagger were recovered.

4. The main submissions advanced by learned counsel for petitioner are that nothing as alleged in the FIR was recovered from the possession of this petitioner when he was apprehended and as per FIR the looted money was recovered from the possession of co-accused Amit Kumar and petitioner has been languishing in jail since 26.08.2022 and he has been falsely implicated in this case, though against him there are criminal antecedents of nine cases but he has got bail in all the said cases.

5. Learned APP for the State opposes the bail prayer of the petitioner.

6. Heard both the sides and perused the FIR. The instant matter relates to a dacoity of Rs. 13,20,770/- from the bank and as per allegation five masked persons entered into the bank concerned and firstly they assaulted the customers and employees of the bank and then looted money from the bank on gunpoint and thereafter made an attempt to flee but in that

course villagers and police chaukidar chased them and succeeded to catch hold of the petitioner and one co-accused Amit Kumar and as per seizure list attached to FIR, one pistol loaded with a magazine was recovered from the possession of this petitioner. Considering the seriousness of the allegation appearing against this petitioner and also taking into account his several criminal antecedents, I am not inclined to release him on bail. Accordingly, his prayer for bail stands rejected.

(Shailendra Singh, J)

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