

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29916 of 2023

Arising Out of PS. Case No.-19 Year-2023 Thana- BANKA District- Banka

Etbari Ray Prahlad Ray @ Prahalad Ray Resident of Village- Laxmipur, Ps-
And Distt- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Balram Kapri, Advocate

For the Opposite Party/s : Mrs. Madhuri Lata, Advocate

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 28-06-2023 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Banka
P.S. Case No. 19 of 2023 registered for the offence under
Sections 395 and 397 of the Indian Penal Code and Sections
25(1-b)1, 26, 27 and 35 of the Arms Act.

The accused/petitioner is not named in the F.I.R. and
is in custody since 20.01.2023.

The allegation against this petitioner is to commit
dacoity alongwith other co-accused persons and while
committing so taken away cash of Rs. 1,50,000/-, which was in
possession of informant at the time of occurrence.



Learned counsel appearing on behalf of the petitioner submitted that petitioner was implicated in this case on the basis of suspicion and self-confession, where it is alleged that in furtherance of cash of Rs. 11,000/- and motorcycle used in occurrence were recovered from the house of this petitioner. It is submitted that in want of registration no. of the vehicle and details and denominations of the looted cash, it cannot be said that the recovered motorcycle was used in alleged occurrence and the cash recovered is the same cash, which was looted from informant. It is submitted that petitioner was not put on TIP, as yet. While concluding the argument, it has been submitted that petitioner is a man of clean antecedent and moreover, investigation of this case is completed, for which charge-sheet has already submitted, as such, there is no chance of tampering with the evidence.

Learned APP opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as implication of petitioner is appearing doubtful, in want of registration no. of recovered vehicle and details and denominations of the recovered cash with present occurrence, coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 20.01.2023, accordingly the



petitioner, above named, is directed to be released on bail in connection with Banka P.S. Case No. 19 of 2023 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate Banka/concerned Court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

Archana/-

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