

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29067 of 2022

Arising Out of PS. Case No.-156 Year-2020 Thana- PAROO District- Muzaffarpur

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Bittu Thakur @ Abhishek Kumar Son Of Late Yaduvansh Thakur Resident of
Village- Kushi Harpur, Ramani, P.S- Kanti , Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Ranjan

For the Opposite Party/s : Mr. Tarun Prasad Mandal

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

4 17-01-2023 Heard Ld. counsel for the petitioner and Ld. APP

for the State.

The petitioner seeks bail in connection with Paroo
P.S. Case No. 156 of 2020, registered for the offences
punishable under Section 395 of the Indian Penal Code.

The prosecution case as emerges from the FIR is
that on 17.03.2020 at around 1:00 pm, six unknown
miscreants, aged between 20 to 30 years, wearing face
mask, entered State Bank of India, Lalu Chapra Branch
where the informant and his assistant were working. Further,
they assaulted the informant and his co-workers and looted
Rs. 2,53,760/- on the point of pistol and fled away on two



black colour splendor motorcycle towards Saraiya.

Ld. counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that nothing has been recovered from the conscious possession of the petitioner. He also submits that the petitioner is not named in the FIR and the name of the petitioner has transpired only in the confessional statement of the co-accused. He also submits that no Test Identification Parade has been conducted yet. He further submits that the co-accused, namely, Rishikesh Kumar Thakur, Rajnish Thakur, Babul Kumar and Badal Kumar have been enlarged on bail by the co-ordinate Bench of this Court vide order dated 08.04.2022, 10.09.2021, 23.11.2020 and 09.07.2021, passed in Cr. Misc. No. 7977 of 2022, Cr. Misc. No. 35657 of 2021, Cr. Misc. No. 29573 of 2020 and Cr. Misc. No. 9872 of 2021 respectively.

He further submits that the petitioner has been languishing in jail since 11.09.2020.

It has also been stated in paragraph no. 3 of the bail petition that the petitioner has earlier been made



accused in ten other cases.

It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the present matter.

However, Ld. APP for the State vehemently opposes the prayer of the petitioner for bail.

Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Ld. Additional Chief Judicial Magistrate-III, West Muzaffarpur in connection with Paroo P.S. Case No. 156 of 2020 on the following conditions:

(i) The petitioner will make himself available for interrogation by a police officer/court as and when required.

(ii) The petitioner will undertake that investigation/trial will not hamper on account of his absence or non-cooperation. He must be available to the police or the



court whenever his presence is required.

(iii) The petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court below that the petitioner has criminal antecedents other than the disclosed one, Ld. court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, Ld. court below shall cancel the bail bonds of the petitioner.

Ld. counsel for the petitioner is directed to remove all the defects, if any, pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office



objections.

(Jitendra Kumar, J)

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