

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34580 of 2023

Arising Out of PS. Case No.-377 Year-2022 Thana- BAIRIYA District- West Champaran

Ashok Ram, aged about 35 years, Son of Late Ramdutt Ram @ Late Ramdat
Ram Resident of village - Semariman (Nawalpur Bazar), P.S. - Nawalpur,
Distt. - West Champaran

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Ram Adya Singh, Advocate
For the Opposite Party : Mr. Bharat Bhushan, A.P.P.

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 24-06-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Bairiya
P.S. Case No. 377 of 2022 dated 07.12.2022, instituted for the
offence punishable under Sections 395 & 397 of the Indian
Penal Code and under Section 27 of the Arms Act.

3. Allegation is of looting of cash amounting Rs.
8,29,655/- from a bank on gun point and of assaulting manager
(informant), accountant and cash counter employee.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he is falsely implicated in this case. It
is further submitted that the petitioner is not named in the F.I.R..
The name of the petitioner transpired in this case only on the



basis of confessional statement of another co-accused, namely, Satarjit Chaudhary. No incriminating articles have been recovered from the conscious possession of the petitioner. Till date, no **Test Identification Parade (T.I.P.)** has been made yet. Further, it is submitted that the petitioner has been elected as Sarpanch and due to dirty village politics and police mechanism, he has been implicated in this case. Lastly, it has been submitted that the petitioner is in custody since 10.01.2023, charge-sheet has been submitted in the case and he has seven criminal cases against him.

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., Bettiah (West Champaran) in Bairiya P.S. Case No. 377 of 2022, subject to the following conditions:-

(1) 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.



- (2) One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife.
- (3) 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.
- (4) 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)

Gaurav Kumar/-

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