

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39626 of 2022

Arising Out of PS. Case No.-24 Year-2021 Thana- SAKRA District- Muzaffarpur

RAHUL KUMAR Son of Anil Ray @ Anil Rai, Resident of Village -
Shitalpatti, P.s.- Mufassil, District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Brajendra Nath Pandey, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 11-01-2023 Heard the learned counsel for the
petitioner and the learned APP for the State.

The petitioner seeks regular bail in connection with Sakra P.S. Case No. 24 of 2021, registered for the offences punishable under Sections 395, 397, 412 and 307 of the Indian Penal Code and Section 27 of the Arms Act.

The case of the prosecution in brief is that dacoity was committed in the branch office of Bandhan Bank, where the informant was posted as Branch Manager. It is also alleged that the dacoits had taken away a sum of Rs.17,09,980/- and when the general public had tried to catch the dacoits, one of them had fired



upon the person who had caught hold of one of the dacoits. It is alleged that during the course of investigation, the name of the petitioner has transpired as the person to be having complicity in the alleged occurrence.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is languishing in custody since 25.01.2021. Learned counsel for the petitioner has further submitted that though the petitioner is an accused in one other case, but the fact is that he has been remanded in the present case from the said case. Learned counsel for the petitioner also submits that no test identification parade has been held till date, so as to connect the petitioner with the alleged crime nor any looted cash amount has been recovered from the possession of the petitioner, hence, it is submitted that the petitioner is having no complicity in the matter. Learned counsel for the petitioner has lastly submitted that similarly



situated co-accused persons have already been granted bail by co-ordinate Benches of this Court vide orders dated 30.11.2022 and 14.12.2022, passed in Cri. Misc. Nos. 65402 of 2022 and 8964 of 2022 respectively.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials on record as also considering the parity of the case of the petitioner with that of the co-accused persons, who have already been granted bail by co-ordinate Benches of this Court, apart from the fact that no looted cash amount has been recovered from the possession of the petitioner, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail



bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-12, Muzaffarpur in connection with Sakra P.S. Case No. 24 of 2021.

(Mohit Kumar Shah, J)

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