

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40138 of 2023

Arising Out of PS. Case No.-554 Year-2022 Thana- MUZAFFARPUR SADAR District-
Muzaffarpur

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Ashish Kumar Singh S/O Late Devendra Singh R/O Village- Jaymal Dumri,
Ps. Paroo @ Paru, Dist. Muzaffarpur And At Present Resident Of Mohalla-
Panchwati Colony, Near Panchayat Bhawan Majhauilya, Ps. Sadar, Dist.
Muzaffarpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Yugal Kishore

For the Opposite Party/s : Mr.Rajendra Singh

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 23-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
registered for the offence punishable under section 392 of the
IPC and later on Sections 395 and 412 of the Indian Penal Code
has been added.

3. Allegation against the three unknown miscreants is
that they committed dacoity of Rs. 13,45,620/- from the bank as
well as Rs. 56,000/- and Rs. 15,000/- from the customers on the
point of pistol.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He has



falsely been implicated in this case. The petitioner is not named in FIR rather his name came into light in this case on the basis of confessional statement of other co-accused persons before the police which has got no evidentiary value in the eye of law. The petitioner has not been put on TIP yet. It is further submitted that nothing looted money has been recovered from his conscious possession rather the looted money was recovered from the possession of the co-accused persons. It is also submitted from para-8 of this petition that wrongly, it has shown in impugned order that some money has been recovered from the possession of the petitioner but the fact is that from para-78 of the case diary deals with Sadar P.S. Case No. 584 of 2022 dated 29.09.2022, under Section 25(1-b)a, 26 and 35 of the Arms Act and Section 412 of the IPC and in that case, petitioner has already been enlarged on bail. Moreover, he is languishing in judicial custody since 13.04.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be



released on bail in connection with Sadar P.S. Case No. 554 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Muzaffarpur.

(Sunil Kumar Panwar, J)

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