

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46834 of 2022

Arising Out of PS. Case No.-31 Year-2021 Thana- ASARGANJ District- Munger

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DHARMVEER BIND @ DHARMVEER KUMAR SON OF RANGLAL
BIND R/O VILL.- MUZAFFARGANJ, MADHERI, P.S.- HAWELI
KHARAGPUR, DIST.- MUNGER (BIHAR)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Nawal Kishore Singh, Advocate

For the Opposite Party/s : Mr. Choubey Jawahar, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 03-01-2023 Heard the learned counsel for the
petitioner and the learned A.P.P. for the State.

The petitioner seeks regular bail in connection with Asarganj P.S. Case No. 31 of 2021 for the offence registered under Section 395 of the Indian Penal Code.

The case of the prosecution, according to the informant, is that on 09.03.2021, 5-6 miscreants armed with country made pistol had entered into the Gramin Bank, Masumganj Branch, whereafter, they had entered into the safe room and on gun point had committed dacoity and decamped with a sum of Rs. 5,44,416/-.



The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case, is having a clean antecedent and he is languishing in custody since 21.06.2022. It is also submitted that neither any Test Identification Parade has been held till date so as to connect the petitioner with the alleged crime nor the petitioner has been identified in the C.C.T.V. footage as one of the perpetrator of crime. Lastly, it is submitted that no recovery of looted cash amount has been made from the petitioner.

Per contra, the learned A.P.P. 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 available on record as also considering the materials available in the case dairy apart from the fact that the petitioner has not been identified as one of the perpetrator of crime and, moreover, no



looted cash amount has been recovered from his possession, I deem it fit and proper to admit the petitioner to the privilege of bail.

Accordingly, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-II, Munger in connection with Asarganj P.S. Case No. 31 of 2021.

(Mohit Kumar Shah, J)

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