

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53466 of 2022

Arising Out of PS. Case No.-56 Year-2021 Thana- BIDUPUR District- Vaishali

CHANDAN KUMAR @ PRINCE KUMAR @ CHANDAN S/O LATE RAM
CHANDRA CHAUDHARY @ RAM CHANDRA CHAUDHARI Resident of
village- Majhauri, P.S.- Bidupur, District- Vaishali....

... Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shivanand Singh, Advocate

For the Opposite Party/s : Mr.Mukesh Kumar Singh, App

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH

ORAL ORDER

3 14-02-2023 Let the defect(s), if any, pointed out by the office

be removed within two weeks from the date of this order failing
which the matter be listed again under the appropriate heading
for necessary action.

Heard learned counsel for the petitioner and the
learned APP for the State.

Petitioner seeks regular bail in connection with
Bidupur P.S. Case No. 56 of 2021 registered for the offences
punishable under Sections 395/412/120(B) of the Indian Penal
Code.

As per the prosecution, the informant alleged that
eight miscreants by brandishing their weapons looted a cash of
Rs.26,54,430/- from cash counter, Rs.6,880/- from Agree
counter and Rs.18,00,000/- from the bank vault. It is further



alleged that they also looted wallets, cash, debit cards and mobile phones of bank staffs and fled from there.

The main submissions advanced by the learned counsel Mr. Shivanand Singh for the petitioner are that admittedly the petitioner was in jail when the alleged occurrence of bank dacoity took place and five co-accused persons, namely, Priyanshu Kumar, Prince Kumar @ Golu Rider, Saurav Kumar, Rajat Kumar and Gautam Kumar have been granted bail by a co-ordinate Bench of this Court vide orders passed in Cr. Misc. Nos.63495 of 2021, 57607 of 2021, 67507 of 2021, 61399 of 2021 and 63805 of 2021 respectively and from the possession of some of said co-accused persons, some part of the looted money as well as some other incriminating materials was recovered while the case of the petitioner stands on better footing from the said co-accused persons as he was admittedly in the jail when the offence took place and he was simply alleged to be in contact with some of the co-accused persons through Whatsapp call when the alleged occurrence took place but in respect of the said Whatsapp call communication, the prosecution has not produced any type of evidence. Further submission is that the petitioner has been languishing in jail in the present matter since 05.03.2021 and



against him, the investigation has been completed and there is no legal evidence against him to connect the alleged occurrence of bank dacoity, except the confessional statements of co-accused persons Priyanshu Kumar and Prince Kumar.

Learned APP Mr. Mukesh Kumar Singh appearing for the State has opposed the bail prayer.

Having considered the above submissions and mainly the fact that the name of the petitioner came into light in the statements of co-accused persons and some of the co-accused persons from whose possession, some part of the looted money was recovered have been granted bail by a co-ordinate Bench of this Court and the petitioner was admittedly in judicial custody when the alleged occurrence of bank dacoity took place and the prosecution while opposing the bail prayer of the petitioner has not brought any legal evidence being against the petitioner before this Court to connect him with the alleged bank dacoity as well as considering the petitioner's custody period, in the opinion of this Court a lenient approach can be taken in respect of the petitioner's prayer, let the petitioner 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 the concerned Court in connection with Bidupur



P.S. Case No. 56 of 2021.

(Shailendra Singh, J)

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