

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2204 of 2023

Arising Out of PS. Case No.-399 Year-2022 Thana- PIRO District- Bhojpur

1. Dinesh Rajbanshi S/O Ramadhar Rajbanshi @ Ramadhar Rajwar R/O Village- Gachhai, P.S- Karakat In The District Of Rohtas
2. Munna Rajwar @ Munna Rajvar S/O Bhaiya Ram Rajwar @ Bhaiya Ram Rajvar R/O Village- Gachhai, P.S- Karakat In The District Of Rohtas

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar

For the Opposite Party/s : Mr.Shyam Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

9 04-12-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners have prayed for grant of bail in connection with Piro P.S. Case No. 399 of 2022 registered under section 414 of the Indian Penal Code and Sections 25(1-b), 26 and 35 of Arms Act.

As per FIR, police got information that three miscreants committed robbery of Rs. 3,50,000/- and on that information, police reached at that place and apprehended all of them. On search, from the possession of petitioner No.1, namely, Dinesh Rajbanshi cash of Rs. 3,30,000/- and one mobile were recovered. From the possession of petitioner No. 2, one



samsung mobile and one Realme phone were recovered and from the possession of co-accused, there has been recovery of one country made pistol and two live cartridges.

Learned counsel for the petitioners submits that the petitioner are innocent and have committed no offence. They have falsely been implicated in this case. No any looted cash has been recovered from the conscious possession of petitioner No.2. Moreover, both the petitioners are languishing in judicial custody since 19.07.2022.

The application for bail is opposed by learned APP for the State and submitted that both the petitioners were apprehended on spot by the police and also named in FIR.

Having heard learned counsel for the parties and considering the facts and circumstances of this case as well as the custody period of the petitioner No.2, the Court is inclined to enlarge the **petitioner No. 2 , namely, Munna Rajwar on bail.** The above named petitioner No. 2 is directed to be enlarged on bail in connection with Piro P.S. Case No. 399 of 2022 furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Bhojpur.

So far as Petitioner No.1, namely, Dinesh Rajbanshi is



concerned, there has been recovery of looted amount of Rs. 3,30,000/- from his possession and he has not claimed that the said amount is not stolen one. He has several criminal antecedents.

Considering the allegation against the petitioner No.1, this court is not inclined to enlarge the petitioner on bail and, as such, her prayer for bail stands rejected.

The trial court is directed to expedite the trial and conclude the same as soon as possible.

(Sunil Kumar Panwar, J)

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