

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4595 of 2024

Arising Out of PS. Case No.-270 Year-2023 Thana- LALGANJ District- Vaishali

Dina Prasad Son Of Late Ramishwar Prasad Village- Khairi P.S- Pipara
District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur
		Mrs. Vaishnavi Singh
For the Opposite Party/s	:	Mr. Pranav Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 21-03-2024 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 sections 25(1-b)a and 35 of the Arms Act and Section 392 of the Indian Penal Code.

3. According to FIR, the informant Branch Manager has alleged that on 01.08.2023, while the informant was on duty, one miscreant entered in the bank premises and asked security guard to open an bank account. Thereafter, other three miscreants armed with pistol entered in the bank premises and on the point of pistol, looted away Rs. 98,19,485/- from cash counter and locker and all fled from there.



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 during investigation on the basis of confessional statement of co-accused who happens to be the son of the petitioner. During investigation, it came to know that the son of the petitioner involved in the said crime and after that police raided the house of Biru Kumar (petitioner's son) and from his room, Rs. 3,60,000/- has been recovered. Out of them, Rs. 50,000/- was given to this petitioner by the petitioner's son. Petitioner has not been put on TI parade. He has no concern with the alleged occurrence. Nothing consistent material has come against the petitioner. Moreover, the petitioner is languishing in judicial custody since 30.08.2023.

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 Lalganj P.S. Case No. 270 of



2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur with following conditions:-

(i) Petitioner shall co-operate in the trial and shall be present on each and every fixed date and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(ii) If the petitioner tampers with the evidence or threatens the witnesses, in that case, the prosecution will be at liberty to move of cancellation of bail.

(iii) In case, the petitioner repeats offence of similar nature after enlargement on bail, his bail-bonds will be cancelled by the Court below.

(Sunil Kumar Panwar, J)

Shubham/-

U		T	
---	--	---	--

