

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10267 of 2024

Arising Out of PS. Case No.-141 Year-2023 Thana- PIPRAHI District- Sheohar

Tapendra Prasad Singh @ Tapendra Kumar Singh @ T.P. Singh, aged about 40 years (Male), son of Late Hriday Narayan Singh, resident of village Village- Budhkara, P.S- Katra, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandra Mohan Jha, Advocate

For the Opposite Party/s : Mr. Shyam Bihari Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

4 12-07-2024 Heard Mr. Chandra Mohan Jha, learned counsel appearing on behalf of the petitioner and Mr. Shyam Bihari Singh, learned APP for the State.

2. Petitioner, who is in custody since 26.09.2023, seeks regular bail in connection with Piprahi P.S. Case No. 141 of 2023 registered for offences punishable under Sections 395, 397 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per the allegation made in the FIR, which is against unknown, the accused persons had committed dacoity and looted Rs. 26,30,000/- from a branch of Bank of Baroda.

4. Learned counsel appearing on behalf of the petitioner submits that petitioner is innocent and has falsely been implicated in the present case. FIR is against unknown.



Name of the petitioner has surfaced in the present case on the basis of confessional statement made by one co-accused, namely, Munchun Paswan, in police custody, which *prima facie*, has no evidentiary value in the eye of law. Other co-accused person, namely, Aman Singh @ Raja, has already been released on pre-arrest bail vide order dated 18.01.2024 passed in Criminal Miscellaneous No. 84152 of 2023 and Chitranjan Sah has already been released on regular bail vide order dated 19.04.2024 passed in Criminal Miscellaneous No. 9113 of 2024. He further submitted that the recovery, which has been made from the house of the petitioner was hard earned money of the family of the petitioner amounting to Rs. 1,88,000/-. On these grounds, petitioner seeks to be released on bail.

5. Learned A.P.P., for the State has opposed the prayer for grant of bail to the petitioner.

6. Considering the rival submission made on behalf of the parties, as well as, the fact that the name of the petitioner has surfaced in the present case on the basis of confessional statement made by one co-accused, namely, Munchun Paswan, in police custody, which *prima facie*, has no evidentiary value in the eye of law. Other co-accused person, namely, Aman Singh @ Raja, has already been released on pre-arrest bail vide order



dated 18.01.2024 passed in Criminal Miscellaneous No. 84152 of 2023 and Chitranjan Sah has already been released on regular bail vide order dated 19.04.2024 passed in Criminal Miscellaneous No. 9113 of 2024. He further submitted that the recovery, which has been made from the house of the petitioner was hard earned money of the family of the petitioner amounting to Rs. 1,88,000/-. I am of the opinion that petitioner has, *prima facie*, made out a case to be released on regular bail.

7. The petitioner, above named, is directed to be released on bail upon furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Sheohar, in connection with Piprahi P.S. Case No. 141 of 2023 subject to the following conditions:

(i) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(ii) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

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



(iv) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bond.

(Purnendu Singh, J)

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