

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40429 of 2024

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

Raushan Kumar (Male) aged about 18 years, Son of Upendra Ray, Resident of
Village- Mahamadpur Katasari ,P.S - Shyampur Bhathan, District- Sheohar
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amrendra Kumar, Advocate
For the Opposite Party/s : Ms. Asha Kumari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 04-10-2024 Heard Mr. Amrendra Kumar, learned counsel
appearing on behalf of the petitioner and Ms. Asha Kumari,
learned APP for the State.

2. Petitioner seeks regular bail in connection with
Piprahi P.S. Case No. 141 of 2023 registered for the offences
punishable under Sections 395, 397, 412, 120(B) 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 lacs from a branch of Bank of Baroda.

4. Learned counsel appearing on behalf of the
petitioner submitted that petitioner is innocent and has falsely
been implicated in the present case. Nothing has been recovered
from the possession of the petitioner. Petitioner is not named in
the FIR, rather, the name of the petitioner has transpired on the



basis of confessional statement of one co-accused, namely, Chitranjan Sah, in the police custody, who has already been released on regular bail by this Court vide order dated 19.04.2024 passed in Cr. Miscellaneous No. 9113 of 2024 and such confessional statement has no evidentiary value in the eye of law. Petitioner has clean antecedent and he is in custody since 01.07.2023. On these grounds, learned counsel submits that petitioner deserves to be released on bail.

5. Learned A.P.P. appearing on behalf of the State has vehemently opposed the prayer for grant of bail.

6. Considering the rival submissions made on behalf of the parties, as well as, the fact that the petitioner has been able to make out a case that he was not connected with the alleged offence of committing dacoity of Rs.26 lacs from the Bank of Baroda, Ambakala Branch, Samastipur, the District Court is directed to verify from the F.S.L. report with respect to CCTV footage submitted in connection with Piprahi P.S. Case No. 141 of 2023, and if it is found that the petitioner was not present at the place of occurrence after verifying the CCTV footage, then in that case, the petitioner, above named, is directed to be released on bail on 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.

(v). The learned District Court is directed to verify the criminal antecedent of the petitioner as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioner as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J)

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