

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52981 of 2024

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

Biru Kumar @ Biru Kushwaha Son of Sri Dina Prasad R/O Village- Khairi
P.s.- Pipara, District- East Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vaishnavi Singh, Adv

For the Opposite Party/s : Mr.Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 05-10-2024 Heard Learned Counsel for the petitioner and
Learned A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Lalganj P.S. Case No. 270/2023 lodge on 01.08.2023 under
Section 392 of the Indian Penal Code and Section 25(1-b)a, 35
of the Arms Act.

3. As per the prosecution case, F.I.R. has been lodged
against four unknown accused persons with an allegation that
they had looted Rs. 98,019,485/- along with the CCTV cameras
and DVR from the Axis Bank, Lalgang, Muzaffarpur

4. Learned Counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Counsel
also submits that there are certain materials which is against the
petitioner i.e. his C.D.R. location was in the locality where bank



was situated, also in some of the C.C.T.V. Footage of the locality, he has been captured. He further submits that petitioner's name has been figured in this case only by virtue of confessional statement made by the co-accused and on his confession only, the recovery amounting to Rs. 3,60,000/- and gold chain has been made from the petitioners house. He further submits that the materials which has been recovered is of the petitioner and in this regard, an application has been filed before the Court of Chief Judicial Magistrate, Vaishali in which report has been called for, which is still pending. He further submits that petitioner is in custody since 31.08.2023 and there are three criminal antecedent of the petitioner in which he is on bail in all the cases. He further submits that the said recovered articles were not put on T.I.P., and therefore, only on suspicion, he is in custody.

5. Learned APP for the State opposes the prayer for bail and submits that the petitioner is involved in the bank robbery from where Rs. 98,019,485/- along with the CCTV cameras and DVR have been looted by the accused persons. He submits that case diary that has been called for. It transpires from the case diary, the Special Investigation Team has been constituted. The investigation team after rigorous effort has



identified one of the accused person who has stayed in the hotel had deposited driving license namely, Sashi Kumar, which has come in paragraph no. 118 of the case diary. The said Sashi Kumar, along with other co-accused persons used I-20 car through which those accused persons have moved. He has disclosed entire *modus-operandi* and how the looted money has been distributed among the accused persons. In the confessional statement of the petitioner he himself, disclosed that what was the different ways where he had exhausted his looted money.

6. In the present facts and circumstances of this case and the submissions made above, this Court is not inclined to grant bail to the petitioner. Accordingly, the bail application of the petitioner is hereby rejected.

7. The trial Court is directed to expedite the trial.

(Dr. Anshuman, J)

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