

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65026 of 2024

Arising Out of PS. Case No.-65 Year-2024 Thana- ARARIA District- Araria

Abhishek Jha @ Abhishek Kumar Jha Son of Ratan Jha Resident of village -
Balva Tola, Ward No.- 03, P.S.- Nauhatta, District - Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Mishra, Adv.

For the Opposite Party/s : Ms. Dr. Indihar Kumari, Adv.

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 06-09-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with S.T. No.
296 of 2024 arising out of Araria P.S. Case No. 65 of 2024
instituted for the offences under Sections 395/397 of the I.P.C.
Subsequently, Sections 412 of the I.P.C. and Section 25(1-
B)A/26/27/35 of the Arms Act were added vide order dated
06.02.2024.

3. As per prosecution case, six unknown miscreants
committed *dacoity* in the Axis Bank and looted cash amounting
Rs. 1,00,31,908/- from the case counter. It is further alleged that
the accused persons also took away DVR and CCTV which
were installed in the Bank.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case. The petitioner is not named in the F.I.R. and his name has surfaced in this case on the basis of the confessional statement of co-accused Shantanu Singh and Manohar Mehta given before the police. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner has no concern with the alleged occurrence. The petitioner has not been put to Test Identification Parade. The petitioner has two criminal antecedents and is languishing in judicial custody since 27.02.2024 without any rhymes or reason. Charge-sheet has been submitted in this case.

5. Learned counsel for the petitioner again submits that the co-accused namely Shantanu Singh has already been granted bail by this Court vide order dated 28.06.2024 passed in Cr. Misc. No. 37627 of 2024.

6. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner,



let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with S.T. No. 296 of 2024 arising out of Araria P.S. Case No. 65 of 2024.

(Rudra Prakash Mishra, J)

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