

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65914 of 2024

Arising Out of PS. Case No.-41 Year-2024 Thana- KHIJARSARAI District- Gaya

Suresh Chaudhary S/O Late kailash Chaudhary R/O Village- Adhgawan, P.S-
Meskaur, Distt .- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Syed Ehteshamuddin, APP

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

ORAL ORDER

4 19-11-2024 Heard learned counsel for the petitioner and learned APP
for the State. Perused the case diary.

2. The petitioner seeks bail in connection with
Khizersarai P.S. Case No. 41 of 2024 instituted for the offence
under Section 392 of the Indian Penal Code.

3. Prosecution case in short is that on the point of
pistol unknown miscreants have looted Rs. 8,46,188/- from the
Utkarsh Small Finance Bank, Baijnathpur Branch in which
informant is a cashier.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 09-04-2024. Petitioner
bears four criminal antecedents, as per disclosure made in
paragraph No. 3 of the bail application.



5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Petitioner is not named in the FIR. Name of the petitioner has transpired during course of investigation on the basis of confessional statement of co-accused. Petitioner was not put on T.I. Parade. Nothing has been recovered from the petitioner's possession and so far as recovery of Rs. 26,000/- is concerned, the same is not looted one. It is submitted that police after investigation has submitted charge sheet in this case. It is lastly submitted that there is no compliance of Section 100 of the Cr.P.C.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. It is fervently submitted that petitioner in his confessional statement has confessed his guilt.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner and charge sheet being submitted, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail, *after framing of charge, if not already framed*, 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 Khizersarai P.S. Case No. 41 of 2024 , subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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