

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71049 of 2024

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

Abhinandan Kumar @ Abhinandan Yadav @ Abhay Yadav son of Fulichand
Yadav @ Fulichandra Yadav Village- Simraha, Ps and Dist- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amarnath Jha, Advocate

For the Opposite Party/s : Mr. Abhay Kumar Roy, APP

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

ORAL ORDER

2 27-09-2024 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner seeks bail in Sessions Trial No. 296
of 2024, arising out of Araria P.S. Case No. 65 of 2024,
instituted for the offences punishable under Sections 395, 397,
412 of the Indian Penal Code and Section 25(1-B)(a), 26 and 35
of the Arms Act.

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

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in the present case. Charge-sheet has been submitted in this case. No incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner also submits that the petitioner is not named in the FIR. Name of the petitioner has transpired on the basis of confessional statement of co-accused person and the same has got no evidentiary value. No looted articles have been recovered from the possession of the petitioner. The petitioner is in custody since 06.02.2024 and has got three criminal antecedents in which he is on bail. Learned counsel for the petitioner further submits that similarly situated co-accused have been granted regular bail by this Court vide order dated 25.04.2024 passed in Cr. Misc. No. 31571 of 2024, order dated 28.06.2024 passed in Cr. Misc. No. 37627 of 2024 and order dated 30.08.2024 passed in Cr. Misc. No. 53175 of 2024.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, taking into account the period of custody undergone by the petitioner and claim based on parity, this Court is inclined to grant bail to the petitioner.



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

(Rudra Prakash Mishra, J)

Rajorshi/-

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