

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77324 of 2024

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

Shankar Kumar @ Shankar Yadav son of Suro Yadav village- Madhura Ward
no. 07, Ps- Saur Bazar 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. Madhuri Lata, APP

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

ORAL ORDER

2 25-10-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Araria
Nagar P.S. case No. 65 of 2024 instituted for the offences under
Sections 395 and 397 of the Indian Penal Code and later on
Section 412 of the IPC and Sections 25(1-b)a, 26, 27, 35 of the
Arms Act.

3. Prosecution case, in short, is that six unknown
miscreants committed dacoity in Axis Bank and looted cash
amounting to Rs. 1,31,96,000/- from the cash counter. It is
further alleged that the accused persons also took away DVR
and CCTV.

4. Learned counsel for the petitioner submitted that the



petitioner has falsely been implicated in the present case. Petitioner is not named in the F.I.R. The name of the petitioner transpired in this case on the basis of confessional statement of Manohar Kumar Mehta @ Manohar Mehta. No incriminating article has been recovered from the conscious possession of the petitioner. Except the confessional statement of the co-accused, there is no material available against the petitioner. It has been submitted on behalf of the petitioner that the petitioner is in custody since 19.05.2024 and has five criminal antecedents. The co-accused person has already been granted bail by this Bench vide order dated 30.08.2024 passed in Cr. Misc. No. 50404 of 2024.

5. Learned A.P.P. 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, claim based on parity as also the period of custody undergone by the petitioner, 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/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Araria Nagar P.S.



case No. 65 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.

(III) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Rudra Prakash Mishra, J)

Alok Verma/-

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