

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77148 of 2023

Arising Out of PS. Case No.-269 Year-2023 Thana- SONEPUR District- Saran

Sujit Kumar Son Of Nawal Yadav Resident Of Village Heru Diyara, P.S.
Kasim Bazar, District Munger

... .. Petitioner/s

Versus

1. The State of Bihar
2. Punjab National Bank, Branch Barbatta, Sonpur, Saran Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Manjeet Kumar Bishen
For the State	:	Mr. Umanath Mishra
For the Bank	:	Mr. Varant Vikas

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 21-06-2024 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 396 of the Indian Penal Code and Section 27 of Arms Act.

3. It is a case of bank *dacoity*. Five unknown miscreants are alleged to have entered in the bank and started indiscriminate firing due to which two police constables sustained gunshot injury and died. The accused miscreants looted away Rs. 13,28,157/- from



the bank.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The case has been lodged against unknown. The name of the petitioner sprang up in this case on the basis of confessional statement of co-accused Md. Jasmin which has got no evidentiary value in the eye of law. Neither the petitioner was arrested on spot nor any incriminating article has been recovered from his conscious possession. Except confession of the co-accused, nothing has come against the petitioner. The petitioner has still not been put on Test Identification Parade. The petitioner is languishing in judicial custody since 17.05.2023. A statement has been made in para 3 of the petition that petitioner is accused in one other case apart from the present one.

5. Learned APP appearing for the State has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties



and considering the facts and circumstances of the case as well as custody period, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail **after framing of charge, if the charge has still not been framed** in connection with Sonpur P.S. Case No. 269 of 2023 (Sessions Trial No. 614/2023) on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 4th Additional Sessions Judge, Saran at Chhapra.

(Sunil Kumar Panwar, J)

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