

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10757 of 2024

Arising Out of PS. Case No.-41 Year-2023 Thana- MUSRIGHRARI District- Samastipur

Md Javed @ Niyaj S/o Md. Kumar R/o village-kasbe Aahar, P.S.-Tajpur,
Distt-Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gaurav Kumar, Adv.

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

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

6 02-09-2024 Heard the learned counsel for the petitioner as well as
the learned Additional Public Prosecutor for the State.

2. The petitioner is seeking regular bail in connection
with Mushrigharari P.S. Case No. 41 of 2023 for the offences
punishable under Section 392 of the Indian Penal Code.

3. As per allegation, unknown miscreants entered into
the Alloth Branch of Bihar Gramin Bank and at the gun point,
they looted cash of Rs. 19,16,966/-. The miscreants had masked
their faces and they had also put on helmets on their heads.

4. The learned counsel for the petitioner has submitted
that the petitioner is innocent and has falsely been implicated in
this case. He has further submitted that the petitioner is not
named in the FIR. No TIP has been done and except
confessional statement of the petitioner, there is nothing against



him. He has also submitted that on the basis of confessional statement of co-accused Ram Babu Kumar @ Sujit, the looted currency notes were recovered from his house having seal of Alloth Branch of the Gramin Bank. So far as the petitioner is concerned, though it is alleged that he was arrested with a country made pistol and some currency notes but those bank notes did not having any mark showing that it belonged to the Alloth Branch of the Bank. He has next submitted that case of the petitioner is on better footing to that of co-accused Ram Babu Kumar @ Sujit, who has been granted bail by a co-ordinate Bench of this Court in Cr. Misc. No. 84729 of 2023. The petitioner is under custody since 08.05.2023. He has submitted further that if there is no evidence at all against him in the present case, he cannot be put behind the bar merely on the ground that some other cases are pending against him.

5. On the other hand, the learned APP for the State has opposed the prayer for bail and submitted that the petitioner has furnished his confessional statement and he has also some criminal antecedents.

6. Considering the above-mentioned facts and circumstances, especially the fact that the case of the petitioner is on better footing to that of co-accused, Ram Babu Kumar @



Sujit, let the petitioner above-named be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand rupees) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-Ist Class, Samastipur in connection with Mushrigharari P.S. Case No. 41 of 2023, subject to the condition that the petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(Nawneet Kumar Pandey, J)

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