

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.59245 of 2025**

Arising Out of PS. Case No.-378 Year-2024 Thana- HARSIDHI District- East Champaran

Appu Kumar @ Appu Kumar Yadav Son of Shrifal yadav Resident of village-  
Kharsawah, P.S.- Balthar, District- West Champaran

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

|                        |   |                              |
|------------------------|---|------------------------------|
| For the Petitioner     | : | Mr.Alexander Ashok, Advocate |
|                        |   | Mr.Jawed Akhtar, Advocate    |
| For the Opposite Party | : | Mr.Shailendra Kumar, APP     |

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA**  
**ORAL ORDER**

2      14-10-2025                      Heard learned counsel appearing on behalf of the  
  
petitioner and learned A.P.P. for the State.

2. The accused/petitioner seeks bail in connection with Harsiddhi P.S. Case No. 378 of 2024 registered for the offences under Sections 310(2) of the Bhartiya Nyay Sanhita, 2023 (in short, the 'B.N.S.').

3. The accused/petitioner is not named in the First Information Report and is in custody since 19.03.2025.

4. Allegation against the petitioner is to commit dacoity along with other accused persons in M/s Spandan Sphurti Finance Limited, Motihari, where during the occurrence cash of Rs. Seven Lakhs was looted on the gun point. It is alleged that face of all the accused persons were



masked either by cloth or by the helmet.

5. It is submitted by learned counsel appearing on behalf of the petitioner that name of this petitioner transpired in the alleged occurrence only on the basis of confessional statement of co-accused namely, Anish Raj, in furtherance of which, no incriminating material appears recovered from possession of this petitioner as to connect him *prima facie* with the present crime in question.

6. It is submitted that the allegation, even as per confessional statement of co-accused as appears against the petitioner is to act as a liner. It is pointed out that recovery of Rs. 40,000/- was shown from the house of this petitioner, but same could not connected with the looted cash/currency in want of any details or denomination. It is submitted that petitioner was not put on TIP as yet.

7. While concluding argument, it is submitted that investigation of this case is already completed, where charge-sheet has been submitted and as such, there is no chance of tampering with the evidence.

8. Learned A.P.P. for the State has opposed the



prayer for bail of the petitioner.

9. In view of aforesaid factual submission and by taking note of the fact as recovery of cash from the petitioner *prima facie* cannot be connected with the looted cash/currency in want of details or denomination, coupled with the fact that petitioner remains in custody since 19.03.2025, where investigation of this case is already completed, accordingly, above-named petitioner is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate - 1<sup>st</sup> Class, East Champaran/concerned court, in connection with Harsiddhi P.S. Case No. 378 of 2024, subject to the condition as laid down under Section 437(3) Cr.P.C/Section 480(3) of the Bhartiya Nagarik Suraksha Sanhita (in short "B.N.S.S.").

**(Chandra Shekhar Jha, J)**

Rajeev/-

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