

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69832 of 2024

Arising Out of PS. Case No.-122 Year-2022 Thana- NAWANAGAR District- Buxar

Om Prakash Son of Ramesh Singh Resident of village- Mirjapur PS- Dawath,
District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashi Kant, Advocate

For the Opposite Party/s : Mr. Anil Prasad Singh, APP

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

ORAL ORDER

4 22-01-2025 Heard learned counsel for the petitioner and learned APP
for the State. Perused the case diary.

2. The petitioner seeks bail in connection with
Nawanagar P.S. Case No. 122 of 2022 instituted for the offence
under Section 392 of the Indian Penal Code.

3. As per prosecution case, the allegation against four
unknown miscreants is that they entered into the bank with
country made pistol and looted away total cash of Rs. 2,64,866/-
from the Bandhan Bank, Nawanagar. They have also looted tab
and mobiles of the staff and customer available in the bank.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 05-07-2024. Petitioner
bears three criminal antecedents, as per disclosure made in



paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Petitioner is not named in the FIR. Name of the petitioner has transpired on the basis of confessional statement of co-accused, namely, Rohit Kumar and the same has no evidentiary value. Nothing has been recovered from the conscious possession of the petitioner. Petitioner was not put on T.I. Parade. During investigation, except confessional statement, no consistent evidence has come to show the complicity of the petitioner in the alleged occurrence. Other co-accused has been granted bail by this Court *vide* order dated 12-07-2023, passed in Cr. Misc. No. 15884 of 2023. It is lastly submitted that charge is framed in this case on 19-12-2024.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner by contending that petitioner has confessed his complicity in the commission of offence.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner, manner of petitioner's implication and charge being framed, this Court is inclined to grant bail to the petitioner.



8. 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 Nawanagar P.S. Case No. 122 of 2022, 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.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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