

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81419 of 2024

Arising Out of PS. Case No.-60 Year-2022 Thana- DALSINGHSARAI District- Samastipur

Raushan Kumar Son of Mukesh Kumar Village- Shitalpatti PS -Muffasil
District -Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Surya Narayan Roy, Adv.

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

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

4 31-01-2025 Heard Mr. Surya Narayan Roy, learned counsel for the
petitioner and Mr. Chandra Sen Prasad Singh, learned APP for
the State.

2. Petitioner seeks regular bail in connection with
Dalsinghsarai P.S. Case No. 60/ 2022 dated 23.02.2022
registered for the offence(s) punishable under Section(s) 395 of
the IPC and under section 27 of the Arms Act.

3. The main submissions advanced by learned counsel
for the petitioner are that there is no evidence against this
petitioner to connect him to the offence of bank dacoity and he
was remanded in the present matter from another P.S. Case and
mainly considering the confessional statements of co-accused
persons, namely, Randhir Kumar and Manish Kumar @ Prince,
he has been made accused in this case and after the remand, he
was taken into custody but he was not put on Test Identification



Parade and the police failed to recover any part of the looted articles, so, there is no admissible evidence against this petitioner except the confessional statement of the co-accused. It is further submitted that the petitioner has been languishing in custody since 16.05.2023 and three accused persons, namely, Sonu Kumar, Vikash Kumar and Vishwjeet Kumar, who are also alleged to be involved in the alleged bank dacoity, have been granted bail by the learned trial court itself vide ABP Nos. 319 of 2022, 586 of 2022 and 633 of 2022 and co-accused, Randhir Kumar, in whose confessional statement the name of petitioner has surfaced in this case, has also been granted bail by this court vide order dated 23.08.2022 passed in Cr. Misc. No. 30053 of 2022 and as per the prosecution, some looted articles were recovered from the possession of co-accused Randhir Kumar and others but there is no material to show the petitioner's connection in respect of the recovered articles. Learned counsel for the petitioner further submits that though against this petitioner, there are criminal antecedents of five cases but he has got bail in all the said cases and the investigation against him has been completed, charges have been framed but there is no progress in his trial.

4. Though, learned APP appearing for the State has



opposed the bail prayer of the petitioner and during the course of argument, he is directed to assist this court after perusing case diary, which has been called for and is received, and after perusing the case diary, learned APP submits that it is true that there is no material against this petitioner except the confessional statement of the co-accused and he has been remanded in this case from another PS Case and investigation against him, has been completed.

5. Having considered the above submissions made by the petitioner's counsel and mainly taking into account no admissible evidence being available against this petitioner, as stated by the petitioner's counsel, which has not been rebutted by the learned APP, and also coupled with completion of investigation against him, this court is inclined to grant the relief of bail to the petitioner. Accordingly, let the petitioner named-above be released on bail in connection with Dalsinghsarai P.S. Case No. 60/ 2022 on furnishing bail bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned.

(Shailendra Singh, J)

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