

persons have been identified. It is further submitted that no Test Identification Parade has been conducted. Hence, it is prayed that the Applicant be enlarged on bail.

7. Learned State Counsel opposed the bail application and contended that the incident is a well-planned case of dacoity, wherein the present Applicant is the mastermind. It is submitted that the Applicant resides nearby and had conducted reconnaissance (*recce*) of the house and engaged the other accused persons in committing the offence. It is further submitted that part of the stolen property, namely a ring and cash amounting to ₹16,200/-, has been recovered, while the remaining amount has been recovered from the co-accused. Therefore, it is urged that the Applicant should not be granted bail.

8. Considering the submissions advanced and the material available on record, this Court notes that, *prima facie*, the offence of dacoity requires the involvement of five or more persons, which aspect requires deeper examination during trial. At this stage, it cannot conclusively be held that the Applicant is the mastermind of the alleged offence or that he conducted any reconnaissance. Further, the Applicant was not named in the FIR and has not been identified by the complainant's wife, who is stated to be an eyewitness, and no Test Identification Parade has been conducted. Thus, without expressing any opinion on the merits of the case, this Court is of the view that the Applicant is entitled to be released on bail. Accordingly, the Bail Application is allowed.

9. Let the Applicant be released on bail upon executing a personal bond and furnishing two reliable sureties of the like amount to the satisfaction of the Court concerned.

10. All pending applications, if any, stand disposed of.

(Ashish Naithani, J.)

25.03.2026

Shiksha

--	--	--	--