

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47991 of 2014

Arising Out of PS.Case No. -676 Year- 2014 Thana -ARARIA District- ARRARIA

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Md. Ahmad @ Ahmad Reza @ Ahmad S/o Razi resident of village-
Sisouna, P.S.- Araria, District- Araria

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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CORAM: HONOURABLE MR. JUSTICE AMARESH KUMAR LAL
ORAL ORDER

3 20-03-2015

Heard the learned counsel for the petitioner and
the learned A.P.P. for the State.

The petitioner seeks bail in a case for the offence
punishable under Sections 147, 341, 379, 384, 504 and
506 of the Indian Penal Code.

The allegation is that two persons including the
petitioner pretending to be the Personnel Crime Branch
asked the informant to hand over the key of the
motorcycle to verify whether there was any fire arm. On
protest by the informant, the key of the motorcycle was
snatched and the petitioner took away his motorcycle.
Later on, it has also been alleged that one person
accompanied the culprit took away his purse, ATM card,
identity card, mobile phone and cash amount of Rs.700/-
and Rs.25,000/- was also taken out from the account of
the informant through his ATM card.

It is submitted by the learned counsel for the
petitioner that he has been falsely implicated in this case.
The occurrence had taken place on 20.8.2014 whereas
the F.I.R. has been lodged on 25.8.2014 and there is no

proper explanation for delay in lodging the F.I.R. The petitioner has been in custody since 5.9.2014. After investigation chargesheet has already been submitted and there is no chance of tampering with the witnesses.

Learned counsel for the State submits that there is specific allegation of overt act against the petitioner. On the confessional statement of the petitioner the looted motorcycle has been recovered and other articles have also been recovered from the possession of the co-accused.

Considering the facts and circumstances of this case, in my opinion, the petitioner does not deserve bail at this stage. His prayer for bail is rejected.

Let the trial of the petitioner in Araria P.S. case no. 676 of 2014 be expedited.

(Amaresh Kumar Lal, J)

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