

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49628 of 2016

Arising Out of PS.Case No. -93 Year- 2015 Thana -JOGBANI District- ARRARIA

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1. Md. Raswa @ Raswa Son of Latif Mian Resident of village- Ahmedpur
Ward No.- 17, Police Station- Jogbani, District-Araria

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramesh Kumar Singh

For the Opposite Party/s : Mr. M.Dayal, APP

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 09-12-2016 Heard counsel for the petitioner and Mr. Dayal APP
for the State.

Petitioner seeks bail in Jogbani P.S. Case No. 93 of
2015, registered under Section 392 of the IPC.

Employee of the Bandhan Bank has lodged the case
alleging that after collecting money he was returning when three
accused persons intercepted and at gun point snatched the bag
containing cash, ATM cards etc. and drove away therefrom on a
motorcycle. The villagers offered chase and thereafter returned to
inform that the petitioner was identified as an accused, and as
such, he has been named along with two unknown.

Contention of the petitioner is that only because the
petitioner has some criminal antecedents he has been named on



mere suspicion. No one has specifically alleged involvement of the petitioner in the crime who was lodged in custody since 22.06.2016. No test identification parade was done in the present case to fix the criminal liability of the petitioner in the crime.

Learned APP for the State, on the other hand, submits that in a brazen manner the informant was looted at gun point and villagers claimed to have identified the petitioner. He has some criminal backgrounds also of his involvement in identical offence/crime.

Looking to the allegation and other materials reflected from the record, I am not inclined to grant him the privilege of bail. Prayer is, accordingly, rejected.

If the trial of the case does not record/achieve adequate/sufficient progress within 07 months from the date of receipt/production of a copy of this Court, the petitioner shall have liberty to renew prayer for bail in the Court below itself.

(Kishore Kumar Mandal, J)

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