

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19651 of 2017

Arising Out of PS.Case No. -101 Year- 2016 Thana -MEERGANJ District- GOPALGANJ

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Bijendra Yadav son of Kapildev Yadav, R/o Kharva Tola, P.S.- Phulwariya,
District- Gopalganj.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Ravindra Kumar, Advocate.

For the Opposite Party : Mr. Umesh Lal Verma, APP.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 19-06-2017 Heard both sides.

The petitioner seeks bail in Mirganj P.S. Case No. 101 of 2016 registered for the offences punishable under Sections 395, 412 and 414 of the Indian Penal Code and under Sections 25(1-A)/26(ii)/35 of the Arms Act.

The informant alleged that the petitioner and two other persons looted his vehicle and mobiles but while the informant was being taken by the petitioner on his motorcycle the informant raised alarm and the petitioner was apprehended. From the possession of the petitioner arms and ammunitions were recovered. Later on two other persons who fled away with the vehicle of the informant were chased and the vehicle was recovered.



Learned counsel for the petitioner submits that the first seizure list was prepared at 14:45 P.M. on 23.04.2016 but the second seizure list was prepared in the jurisdiction of Mirganj police station at 11:45 P.M. It is further submitted that the petitioner has falsely been implicated in the case and he is in jail since 23.04.2016 but it appears that the informant raised the alarm while he was being taken after looting his vehicle. The petitioner was apprehended and from his possession firearm was also recovered. The looted vehicle was also recovered at the instance of the petitioner. The petitioner has got criminal antecedent and he is accused in three other cases of similar nature.

Considering the facts aforesaid I am not inclined to enlarge the petitioner above named on bail at this stage. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

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