

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21157 of 2017

Arising Out of PS.Case No. -53 Year- 2017 Thana -KATIHAR District- KATIHAR

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Aniket Kumar Sah, son of Vinay Kumar Sah @ Vijay Kumar Sah, resident of Mohalla- Gandhi Nagar, Durga Asthan, P.S.- Katihar (Town), District- Katihar.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

5 19-07-2017 Let the supplementary affidavit filed on behalf of the petitioner be kept on the record.

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

The petitioner seeks bail in connection with Katihar (Town) P.S. Case No.53 of 2017 registered under Section 395 of the Indian Penal Code besides Sections 25(1-b)a and 27 of the Arms Act, pending in the court of the Chief Judicial Magistrate, Katihar.

The accusation is that 9-10 persons, borne on three motorcycles, variously armed came and entered the house and shop of the informant. Out of them, one person with arms



remained standing at the main gate of the informant and one person on the point of pistol forcibly took one gold ring from his finger and cash Rs.70,000/- from his pocket, one another person on the point of pistol took gold ornaments of daughter-in-law of the informant, one another person took gold ornaments of the wife of the informant and one person took gold ornaments and cash Rs.15,000/- of the son of the informant. Thereafter, miscreants entering into the house of the informant took some articles after breaking the almirah. After that, while the miscreants tried to flee away but one of them (petitioner) was apprehended and some looted ornaments were recovered from his possession.

Learned counsel appearing on behalf of the petitioner submits that, in fact, the petitioner is the resident of same locality, half kilometer ahead to the house of the informant, and he was present there for chasing the miscreants but, on suspicion, he was apprehended by the informant and others showing one of the miscreants indulged in loot.

On the other hand, learned A.P.P. for the State opposed the prayer of the petitioner for grant of bail and submits that the petitioner was apprehended on the spot and he is also accused in one more case bearing Katihar (Town) P.S. Case No.284 of 2016.

Having regard to the facts and the circumstances of the



case and the nature of allegation, I am not inclined to grant bail to the petitioner. Accordingly, the prayer of the petitioner for grant of bail stands rejected.

(Rajendra Kumar Mishra, J)

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