

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55645 of 2016

Arising Out of PS.Case No. -127 Year- 2016 Thana -CHANDAN District- BANKA

=====

1. Shankar Yadav, S/o Late Ramdhani Yadav, Resident of Village-
Siyatanr, Police Station- Simultala, District- Jamui.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee

For the Opposite Party/s : Mr. Smt. Veena Kumari Jaiswal

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

3 02-03-2017 Heard both sides.

The petitioner seeks bail in Chandan P.S. Case No.
127/2016, registered for the offence punishable under Section 394
of the Indian Penal Code.

It is alleged that four miscreants came and kidnapped
the informant and Khalasi and fled away with his truck loaded
with rice.

It is submitted that the FIR was lodged against
unknown. During course of investigation one Ghanshyam Kumar
confessed his guilt and narrated the entire story as to how the loot
was committed. He disclosed that he had dropped the truck to the
house of the petitioner and unloaded the entire packets of rice
from where in pursuance of the aforesaid confession 640 packets,



each containing 25 kg, of rice were recovered.

Sri Ajay Mukharjee, learned counsel for the petitioner submits that the petitioner is a bonafide purchaser and he had no knowledge about the loot of the truck. The petitioner has remained in jail for more than four months.

From perusal of case diary, it appears that one accused Ghanshyam Kumar was arrested and he disclosed that he unloaded the entire looted rice to the house of the petitioner and from where all 640 packets of rice were recovered.

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

(Prabhat Kumar Jha, J.)

Rakhi

U		T	
---	--	---	--

