

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48143 of 2016

Arising Out of PS.Case No. -150 Year- 2016 Thana -KAJI MUHAMMADPUR District-
MUZAFFARPUR

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1. Dayanand Prasad Gupta Son of late Sidheshwar Prasad Gupta Resident of
Mohalla- Langartoli, P.S. Pirbahore, District Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sada Nand Roy

For the Opposite Party/s : Mr. Sri Asharaf Ansari

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

3 06-03-2017 Heard both sides.

The petitioner seeks bail in Kazi Mohammadpur P.S.
case No. 150 of 2016 under Section 395/412 of the Indian Penal
Code.

The petitioner is not named in the FIR.

The learned counsel for the petitioner submits that
one Mahesh @ Kaliya was arrested and he is said to have
confessed his guilt before the police but Mahesh @ Kaliya did not
disclose the name of the petitioner. In pursuance of confession
made by Mahesh @ Kaliya, one Mantu Kumar Singh was
apprehended and he also confessed his guilt. Mantu Kumar Singh
disclosed that he handed over Rs. 9 lacs to Raju, son of the



petitioner, but even Mantu Kumar Singh did not disclose the name of the petitioner. The police after recording the statement of Mantu Kumar Singh raided the house of petitioner and Rs. 5 lacs, which is said to be looted money, was recovered from the house of petitioner. It is further submitted that petitioner neither participated in dacoity nor he took the booty, rather, son of the petitioner had taken money from Mantu Kumar Singh and the petitioner has falsely been implicated in the case only on account of the fact that looted money from the house of petitioner was recovered.

It appears that prayer of petitioner for bail was withdrawn vide order dated 20.08.2016. The petitioner is in jail since 08.05.2016.

Considering the fact that looted money was recovered from the house of petitioner, I am not inclined to enlarge the petitioner on bail. Accordingly, the same is rejected.

If the trial is not concluded within six months, the petitioner may renew his prayer for bail.

(Prabhat Kumar Jha, J)

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