

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11910 of 2017

Arising Out of PS.Case No. -93 Year- 2016 Thana -RAMGARH District- BHABHUA (KAIMUR)

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Nawnit Upadhyay, S/o Late Rama Shankar Upadhyay, resident of village -
Bharhulia, P.S. Dhina, District - Chandauli (U.P.)

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Sujeet Kumar, Advocate.

For the Opposite Party : Mr. Bal Mukund Prasad Sinha, APP.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 18-04-2017 Heard both sides.

The petitioner seeks bail in Ramgarh P.S. Case No. 93
of 2016, registered for the offence punishable under Section 392
of the Indian Penal Code.

The informant alleged that while he was returning to his
house after withdrawing Rs. 1,30,000/- from Punjab National
Bank, Gorsara three persons came on a motorcycle and at the
point of pistol snatched his money and fled away. The police also
came there and on chase one of the accused Alagu Bind was
apprehended and he disclosed the name of the petitioner Nawnit
Upadhyay and Devanand @ Chandu.

Learned counsel for the petitioner submits that the name
of the petitioner figured in the case in the disclosure made by
Alagu Bind and in pursuance thereof, Rs. 64,000/- was recovered



from the house of the petitioner, but the informant did not give any description with regard to the money looted from the possession of the informant. The petitioner was not put on test identification parade. Devanand @ Chandu has already been enlarged on bail vide order dated 03.11.2016 passed in BP No. 630 of 2016 by the Sessions Judge, Kaimur at Bhabua.

It appears that Alagu Bind was apprehended immediately after the occurrence and he disclosed the name of the petitioner and another accused. On search, Rs. 64,000/- was recovered from the possession of the petitioner and the money was handed over to the informant. The petitioner has got criminal antecedent and he is accused in as many as eight cases.

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

The trial court is directed to expedite the trial and conclude the same within six months from the date of receipt of this order and if the trial is not concluded the petitioner may renew his prayer for bail.

(Prabhat Kumar Jha, J.)

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