

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51261 of 2017

Arising Out of PS. Case No.-198 Year-2016 Thana- NOKHA District- Rohtas

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Prem Kumar Patel, S/o Gulab Chand Choudhary, Resident of Village- Ram Nagar, P.S.- Nokha, Distt.- Rohtas (Sasaram).

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Chhote Lal Mishra, Adv.

For the Opposite Party/s : Mr. J.N. Thakur, APP

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 09-11-2017 Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Section 392 of the Indian Penal Code.

The prosecution case as per the written report of Santosh Kumar, being Branch Manger of Bandhan bank, is to the effect that he was coming from Manipur to Nokha on a motorcycle after collecting money along with Pintu Kumar, an employee of the said bank, but on the way, the bag containing Rs.41445/-, HHD machine, loan form and other papers were snatched. The First Information Report was lodged against unknown. It appears that the name of the petitioner surfaced on the confession of co-accused Prakash Kumar Pandey.



It is submitted by learned Counsel appearing on behalf of the petitioner that there is no recovery from the petitioner, but only on suspicion, the accusation has been levelled. Except the confession of the co-accused no material has been collected against the petitioner.

Keeping in view the fact that the petitioner is accused in one other case with similar accusation, this Court is not inclined to exercise the jurisdiction.

In view of the fact that the impugned order suggests the only material, which has been collected, during investigation, is the confession of co-accused, Prakash Kumar Pandey, the petitioner cannot be denied the privilege of bail by the learned Court below, if he surrenders within a period of six weeks in connection with Nokha P.S. Case No. 198 of 2016, pending before the learned Chief Judicial Magistrate, Rohtas, Sasaram

With the above observation, this application is, accordingly, disposed of.

(Dinesh Kumar Singh, J)

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