

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34075 of 2018

Arising Out of PS. Case No.-5 Year-2018 Thana- GADHPURA District- Begusarai

Surendra @ Sulo Chaudhary, Son of Jugdev Choudhary, resident of Village-
Malipur, Ward No. 11, P.S.- Gardhpura, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Sri Manoj Kumar

For the Opposite Party/s : Sri Anand Mohan Prasad Mehta, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

4 29-08-2018 Heard Sri Manoj Kumar, learned counsel for the
petitioner and Sri Anand Mohan Prasad Mehta, learned
Additional Public Prosecutor.

The sole petitioner, who is in custody since
06.03.2018 in connection with Gadhpura P.S. Case No. 5 of
2018, registered for the offence under Sections 385/392/120(B)
of the Indian Penal Code , 1860, has prayed for grant of bail.

Learned counsel for the petitioner at the very outset
has drawn my attention to the statement made in paragraph - 3
of the petition to show that petitioner is having clean antecedent.
He further submits that petitioner in the present case has been
made accused purely on the basis of confessional statement of
the co-accused and despite the fact that it was a case of dacoity
the petitioner was never put on Test Identification Parade, and as



such, it is a fit case for granting bail.

Learned Additional Public Prosecutor has opposed the prayer for bail.

In this case, earlier case diary was called for, which has already been received. On examination of the case diary it is evident that one veteran criminal from inside jail was operating for demanding ransom. In the present case from the informant's petrol pump ransom amount of five lakhs was earlier demanded and from the informant, who was moving along with heavy cash total amounting to Rs. 1,82,000/- was looted by the accused persons and at the time of committing such occurrence informant was asked to pay ransom amount of twenty five lakhs. During investigation case was thoroughly investigated. Since it was a blind case, telephone details were also collected. Telephone C.D.R. collected during investigation established that accused persons were operating and location of mobiles was also obtained. Such details have been mentioned in paragraph nos. 40, 64 and 74 of the case diary. One mobile no. which was located at the time of occurrence was found in possession of the petitioner and petitioner himself has accepted the fact. Besides this, one of the accused who was arrested has also confessed and gave details of participation of



the petitioner.

Considering the seriousness of the offence as well as materials collected during investigation, I am of the opinion that it is not a case for granting bail.

The prayer for bail stands dismissed.

(Rakesh Kumar, J)

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