

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27693 of 2019

Arising Out of PS. Case No.-613 Year-2018 Thana- PHULWARISHARIF District- Patna

Md. Danish, aged about 23 years (Male), Son of Md. Munna, Resident of Murgia Tola, P.S.- Phulwari Sharif, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Shahid Akhtar, Advocate
For the Opposite Party/s : Mr.Kanhaiya Kishore(App100)

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 03-07-2019 Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner seeks bail in connection with Phulwari Sharif P.S. Case No. 613 of 2018 registered under Sections 399, 402, 414 of the Indian Penal Code and Sections 25 (1-b)a/26/35 of the Arms Act.

The prosecution case is that F.I.R. was registered by the informant against the petitioner and others there that informant along with his associates was in routine gasti and on 16.08.2018 at about 7.30 P.M. when he reached near Fulia Tola, he saw that 10-15 peoples were present on 4-5 vehicles. When they have been asked, they all have tried to flee away.. Some of them have been caught and also arrested. On interrogation, it was found they have assembled to commit dacoity. Some recovery has been made from the co-accused. One broken ATM machine, Rs. 76,000/-, Rs. 72,000/-, Rs. 40,000/- and one pistol, two live cartridges, one pistol Magazine along with live cartridges, Rs. 30,000/-, Rs. 1,56,000/-, Rs. 2,80,000/- and Rs.



500/-, one Tata Indigo Car, one Beat car, one iron cutter grinder machine, one iron cutter and grinder place, two iron rods to be used as Khanti, one hammer, one wire cutter scissor, two number place of vehicle and one screw driver, one Yamha motorcycle, one Apache motor cycle, one Hundey Accent car, one Bajaj RE tempo and other Bajaj RE tempo, one Scorpio, Rs. 2,10,000/- cash, Rs. 70,000/- cash, Rs. 35,000/- cash and so many mobile phones were recovered and seized in this case.

The petitioner is not named in the F.I.R. but on confessional statement of the co-accused, the petitioner has been arrested and found and also recovered Rs. 76,000/- from possession of the petitioner. It is come in paragraph-1 of the case diary, earlier the petitioner has a criminal antecedent, which is mentioned in paragraph-3 of the bail petition.

In the facts and circumstances of the case, I am not inclined to grant bail to the petitioner. Accordingly, the prayer for bail of the petitioner is hereby rejected.

(Anjani Kumar Sharan, J)

Nasimul/-

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

