

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33599 of 2019

Arising Out of PS. Case No.-230 Year-2018 Thana- DARIYAPUR District- Saran

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GOLU JHA @ RUPESH JHA Son of Ganesh Jha Resident of Village -
Rahimapur, P.S.- Bidupur, District- Vaishali at Hajipur ... Petitioner
Versus

The State of Bihar ... Opposite Party

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Appearance :

For the Petitioner : Mr.Vasant Vikas, Advocate
For the Opposite Party : Mr.Mohammed Arif, Addl Public Prosecutor

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 28-08-2019 Heard learned counsel for the petitioner, the State and
perused the case diary.

Petitioner is an accused in a case registered for the
offence under section 396 of the Indian Penal Code as well as
under section 27 of the Arms Act.

Prosecution's case is that when the informant's
brother was on way to deposit the earnings of the patrol pump to
the nearby SBI branch, suddenly six miscreants came there on
two motorcycles, they dashed their motorcycle to the
motorcycle of the informant's brother and fired at him. They
also snatched earnings of the patrol pump worth Rs.
Rs.2,82,000/-, as well as his personal earnings of Rs. 5,200/-.
Informant's brother died at the spot. Petitioner's name has been
surfaced in the case on the confessional statement of co-accused
Ankit Goswami, who was arrested during investigation.



Learned counsel for the petitioner submits that the FIR is against unknown, there is no eye witness to the occurrence and police has implicated the petitioner due to his inimical terms with it. Further, no test identification parade has been conducted in the case and the petitioner is in custody since 28.2.2019.

Learned counsel for the State opposes the prayer for bail to the petitioner stating that as per the confession of the co-accused, petitioner was also a member of the aforesaid gang who murdered informant's brother and looted his cash belongings. He is also accused in two other cases, detailed in paragraph 3 of the bail petition.

In the facts of the case, I am not inclined to grant bail to the petitioner. Prayer for bail of the petitioner is rejected.

Let the trial be expedited.

(Prabhat Kumar Singh, J)

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