

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52854 of 2019

Arising Out of PS. Case No.-154 Year-2019 Thana- BIHARIGANJ District- Madhepura

SHAMBHU THAKUR @ SHAMBHU KUMAR THAKUR (Male), aged about 27 years, Son of Late Damodar Thakur, Resident of Tulsia Ward No. 2, P.S.- Bihariganj, District- Madhepura.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Ram Babu, Advocate.

For the Opposite Party : Mrs.Gulnar Begum, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 04-12-2019 Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner seeks bail in a case for the offence registered under Section 395 of the IPC.

The prosecution story, in brief, is that on 15.05.2019 at about 8.45 P.M., in the night eight unknown criminals being armed with weapons came at the Petrol Pump of the informant and on the point of weapons, they assaulted the informant and the staff of the Petrol Pump and out of them, the informant has identified one of the criminals as Shambhu Thakur (petitioner) but due to fear, the informant could not state anything and thereafter the petitioner Shambhu Thakur alongwith one unknown criminal went near the Munshi Pradeep Kumar Yadav



and snatched the key of the counter from him after assaulting him and took out cash of Rs. 2,51,000/- from the cash counter and other unknown criminals had caught hold the staff of the Petrol Pump of the informant. Further allegation is that other unknown criminals snatched mobiles from Munshi Pradeep Kumar Yadav and Sonu Kumar. The informant has stated the physical features and uniforms of the criminals and they have been covered their faces. The informant has claimed that the criminal Shambhu Thakur (petitioner) and the staff of the Petrol Pump, namely, Sonu Kumar and Sintu Kumar alongwith unknown criminals under conspiracy committed loot-pat in the Petrol Pump of the informant.

It has been submitted by learned counsel for the petitioner that the petitioner is in custody since 18.05.2019. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The petitioner is a Barber. He has a shop adjacent to the Petrol Pump of the informant. Hence, he has been named in the F.I.R., due to dirty politics.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R. The



petitioner had participated in the dacoity at the Petrol Pump.
There is recovery of Rs. 10,000/- from possession of the
petitioner.

Considering the aforesaid facts and circumstances, I
am not inclined to grant bail to the petitioner. The same is
rejected in connection with Bihariganj P.S. Case No. 154 of
2019, pending in the court of learned J.M. Ist Class,
Udakishunganj, Madhepura.

Learned court below is directed to take all necessary
steps to expedite the trial.

(Sudhir Singh, J)

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