

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.56037 of 2019**

Arising Out of PS. Case No.-21 Year-2019 Thana- HATHAURI District- Samastipur

Sachin Lal Dev (Male), aged about 28 years, Son of Mithlesh Lal Dev,  
resident of Village- Naudega, P.S.-Baheri, District- Darbhanga.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

|                    |   |                                  |
|--------------------|---|----------------------------------|
| For the Petitioner | : | Mr. Sanjay Kumar Singh, Advocate |
| For the State      | : | Mr. Jharkhandi Upadhyay, APP     |

**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN**  
**AMANULLAH**

**ORAL JUDGMENT**

**Date : 18-12-2019**

Heard learned counsel for the petitioner and learned APP  
for the State.

2. The petitioner seeks bail in Hathauri P S Case No. 21  
of 2019 dated 15.03.2019 instituted under Sections 420, 379, 34 of  
the Indian Penal Code.

3. The allegation against the petitioner along with others  
is of taking away ornaments of the informant on the pretext of  
taking her photographs for the purpose of giving her cheque of  
Rs.1,50,000/- for construction of house.

4. Learned counsel for the petitioner submitted that he  
was not named in the FIR and after arrest, in the T. I. Parade, he  
has been identified after three months by the informant which  
clearly renders the identification doubtful. It was submitted that



the witnesses examined are also hearsay witnesses. Learned counsel submitted that the petitioner is in custody since 19.06.2019. Learned counsel also produced copy of order dated 16.08.2019 passed by a Coordinate Bench of this Court in Cr. Misc. No.50981 of 2019 by which co-accused Raja Kumar Lal Dev @ Raja Lal Dev @ Raja Babu has been granted bail.

5. Learned APP, from the case diary, submitted that the informant has identified the petitioner during T. I. Parade and it cannot be said that she would not remember what has happened with her. Learned counsel further submitted that though the other co-accused has been granted bail, but it was not brought to the notice of the Coordinate Bench that there has been identification by the informant of the accused during T. I. Parade and further, that the petitioner has made confessional statement.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, the Court is not inclined to enlarge the petitioner on bail.

7. Accordingly, the application stands dismissed.

**(Ahsanuddin Amanullah, J.)**

Vikash/-

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