

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 6555 of 2020**

Arising Out of PS. Case No.-133 Year-2019 Thana- JANKINAGAR District- Purnia

RAMAN KUMAR YADAV Son of Dinesh Kumar Dinkar R/O Kaisth Tola,
Ward No. 28, P.S. and District - Saharsha.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr Chandan Kumar Kashyap, Advocate

For the Opposite Party/s : Mr Anand Kishore Choudhary, APP

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

8 **29-06-2020** As of now, the Courts have not resumed normal physical hearing. The matter has been listed today for consideration through Video Conferencing.

Learned counsels are appearing and making submissions from their residence. The Court Master and Secretary are also part of this virtual Court proceedings with the aid of audio visual technology.

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

The petitioner seeks bail in Jankinagar Police Station (for brevity, *PS*) Case No 133 of 2019 instituted for the offence punishable under Section (s) 399, 402, 413, 414, 412 of Indian Penal Code and Sections 25 (1-B)A, 26, 27 and 35 of Arms Act.



On receiving information regarding planning of a dacoity by five criminals, the police force started checking of vehicles. Allegation is that one vehicle started fleeing and fell in a ditch. One person started firing from the vehicle in question, from which petitioner was arrested. Two others, namely, Ravi Kumar and Binod Kumar Sharma subsequently came out of a field and from them also, some cash, arms and ammunitions were recovered. The accused persons disclosed the name of other two persons, who fled away, as Rahul Kumar and Rakhi Sharma.

Petitioner's counsel submits that only three live cartridges are said to have been recovered from the petitioner. It is submitted that there is no material against the petitioner of his involvement to planning any dacoity. Cash of Rs 2,000/- and mobile phone, recovered from his possession, were in his bona fide possession. Petitioner is in custody since 21.08.2019.

Learned APP for the State opposed the prayer for bail. It is submitted that petitioner is the first apprehended person from the place of occurrence. There are 10 cases pending against him. The antecedents are such that petitioner is not entitled to bail.

Considering the rival submissions, for the present,



this Court is not inclined to grant bail to the petitioner. The same is rejected.

(Madhuresh Prasad, J)

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