

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 15564 of 2020**

Arising Out of PS Case No.-3 Year-2018 Thana- LAHERIASARAI District- Darbhanga

Shankar Kumar Mahto @ Shankar Mahto, aged about 26 years, (male), Son of Jagdish Mahto, Resident of Mohalla - Maulaganj, P.S.- Laheriasarai, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Vijay Kumar Singh, Advocate
For the State	:	Mr. Ramchandra Sahni, APP

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

ORAL JUDGMENT

Date : 21-08-2020

The matter has been heard *via* video conferencing due to circumstances prevailing on account of the COVID-19 pandemic.

2. Heard Mr. Vijay Kumar Singh, learned counsel for the petitioner and Mr. Ramchandra Sahni, learned Additional Public Prosecutor (hereinafter referred to as the 'APP') for the State.

3. This is the third attempt for bail by the petitioner, who is in custody in connection with Laheriasarai PS Case No. 03 of 2018 dated 10.01.2018, instituted under Sections 392 and 448 of the Indian Penal Code. Earlier, such prayer was rejected on



01.08.2018 in Cr. Misc. No. 33924 of 2018 and on 13.03.2019 in Cr. Misc. No. 15437 of 2019.

4. Learned counsel for the petitioner submitted that he is languishing in custody since 14.01.2018. Learned counsel submitted that no Test Identification Parade has been held. It was further submitted that co-accused Arjun Sahni and Jitendra Kumar have been granted bail by the Court below itself.

5. Learned APP submitted that in the CCTV, the accused persons have been seen and, thus, their identification based on the CCTV coverage is sufficient indication of the involvement of the petitioner. It was submitted that robbery was committed after putting knife on the throat of the informant and putting her under threat of death. Learned counsel further submitted that the two co-accused have been granted bail by the Court below much prior to the first rejection of the prayer for bail to the petitioner by the High Court. Thus, it was submitted that no fresh ground has been brought before the Court for reconsideration on merits or otherwise and that the petitioner being seen in the CCTV footage, no indulgence be granted to him.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, the Court does not find any reason to take a different view in the matter as



no fresh or justifiable circumstances have been shown after the prayer for bail was lastly rejected on 13.03.2019.

7. Accordingly, the application stands dismissed.

(Ahsanuddin Amanullah, J.)

P. Kumar/Anand Kr.

AFR/NAFR	
U	
T	

