

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9641 of 2020**

Arising Out of PS. Case No.-312 Year-2019 Thana- WARISLIGANJ District- Nawada

Golu Kumar @ Gopal Kumar @ Gopal @ Golu Son of Pankaj Kumar,
Resident of Village - Simridih, P.S.- Warsaliganj, Dist.- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vibhuti Ranjan Sonvadra, Adv.

For the Opposite Party/s : Mr.Surendra Prasad Singh, APP

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER**

3 02-06-2020 Heard both sides through Video Conferencing.

Petitioner seeks bail in Warsaliganj P.S. Case No. 312
of 2019 registered under Section 395 of the IPC.

The informant (driver of the vehicle) alleged that one
person had hired his vehicle and took his vehicle towards
Pakribarawan. The other accused persons were also sitting in the
vehicle but all accused persons on the way snatched the vehicle
from the informant and fled away with the vehicle.

Learned counsel for the petitioner submits that the
petitioner is not named in the F.I.R. Nothing has been recovered
from possession of the petitioner. The petitioner has been
remanded in this case from another case. Similarly situated co-
accused Kanhaiya Kumar has been granted bail vide order dated
19.12.2019 passed in Cr.Misc.No.84466 of 2019. Another co-



accused has also been granted bail. The case of the petitioner stands exactly on the same footing. The petitioner is in jail since 07.11.2019.

Learned A.P.P. vehemently opposed the prayer for bail and submitted that it was petitioner, who confessed his guilt and in pursuance thereof, the mobile of the petitioner was seized from his possession and from perusal of the Call Detail Records of the mobile of the petitioner and the mobile of other accused persons, it transpired that all accused persons at the relevant time of the occurrence were having talked with each other and they under conspiracy snatched the vehicle and sold the same. The petitioner got Rs.17,000/- in his share. The petitioner has also got criminal antecedent but this fact was not brought before the court who granted bail to Kanhaiya Kumar and another.

It appears from perusal of the record that it was petitioner, who was instrumental in hiring the vehicle and while the petitioner was going on the vehicle after hiring, he along with other accused persons under conspiracy took the vehicle to a lonely place and snatched the same from the informant. Thereafter Manoj sold the vehicle and gave Rs.17,000/- to the petitioner. All other accused persons have also got the share after selling the vehicle. The Call Detail Records contained in



the case-diary clearly indicates that all accused persons were having talked with each other and after hatching conspiracy, they looted the vehicle and sold the same.

Having considered the facts aforesaid, I am not inclined to enlarge the petitioner on bail. Accordingly, the same is rejected.

Petitioner, if so advised, may renew his prayer for bail after remaining a year in custody.

(Prabhat Kumar Jha, J)

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