

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14400 of 2020

Arising Out of PS. Case No.-122 Year-2019 Thana- KARJA District- Muzaffarpur

Vikash Kumar S/o Lalan Mahto Resident of Village- Madhuban, P.S.- Karja,
Distt- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Vaishnavi Singh
For the Opposite Party/s : Mr.Dilip Kumar No. 1

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 05-06-2020 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State, through video
conferencing.

The petitioner seeks regular bail in connection with
Karja Police Station Case No. 122 of 2019, registered for the
offences punishable under Sections 394/302 of the Indian Penal
Code and Section 27 of the Arms Act.

The allegation against the petitioner, as per the First
Information Report, is that the younger brother of the informant,
Krishna Kumar, was working as Manager in a petrol pump
situated at Rautaniya Marwan. On the date of occurrence, i.e. on
20.05.2019, Krishna Kumar was going to Muzaffarpur for
depositing the sale proceeds of the said petrol pump, but he was



intercepted by unknown criminals, who shot him and looted away the bag, containing cash.

Learned Counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and he has falsely been implicated in this case on the basis of mere suspicion. She further submits that there is no eye-witness to the occurrence and the petitioner is in judicial custody since 09.12.2019.

On the other hand, learned Additional Public Prosecutor vehemently opposes the prayer for bail and submits that in course of investigation, the police has examined CCTV footage and the petitioner was found sitting behind the motorcycle holding a bag, which was apparently containing the looted cash and the petitioner was identified through the CCTV footage with other co-accused persons by one Md. Salauddin, who is uncle of co-accused Md. Jafar Iqbal and the statement of said Salauddin is recorded in paragraph 75 of the case diary. He further submits that co-accused Anil Baitha has vividly explained the description of the incident in his confessional statement, which is supported by the CCTV footage. He submits that the petitioner and other co-accused persons have committed serious crime of robbery and murder and, thus, the petitioner



does not deserve the privilege of bail.

After having heard learned Counsel for the parties and taking into consideration the fact that the petitioner has been identified in the CCTV footage and he has got criminal antecedent also, I am not inclined to grant regular bail to the petitioner.

This application is, accordingly dismissed.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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