

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16228 of 2020

Arising Out of PS. Case No.-192 Year-2016 Thana- KHAGAUL District- Patna

BIKHI KUMAR @ BABA @ Bikki Kumar Son of Late William Emanuel
Resident of Anisabad, Balmichak, P.S.- Beur, Distt.- Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar Pathak
For the Opposite Party/s : Mr.Amitesh Kumar

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 01-07-2020 Heard learned counsel for the parties.

This application for regular bail arises out of S.Tr. No. 642 of 2019, Khagaul P.S. Case No. 192 of 2016, disclosing offence punishable under Section 395 of the Indian Penal Code.

The FIR was registered against unknown with the allegation that two miscreants at the point of pistol snatched from the informant huge cash when he was sitting at the counter of K.G. Fuels (petrol pump). They took away valuables from the office and locked the informant and another employee of the petrol pump by bolting the door from outside. The petitioner's name surfaced during the course of the investigation.

It has been stated in paragraph 3 of the application that the petitioner has two criminal antecedents as under :-



*(i) Kadam Kuan P.S. Case No. 02 of 2006
U/S 392 I.P.C. against unknown.*

*(ii) Danapur P.S. Case No. 454/2017 U/S
399, 402 I.P.C.*

Case diary has been called for, which is there on record. It appears, on perusal of the FIR and the case diary, that the crime was perpetrated by altogether five persons. One Mukesh Kumar was arrested, who, while confessing his involvement in commission of the offence, gave enough clue, based on which the petitioner was apprehended. The petitioner in his statement recorded under Section 161 of the Cr.P.C. before the police, appears not only to have admitted his involvement in commission of the present case but he gave a vivid description of his involvement in crimes committed right from year 2006. It is evident that he was arrested for the first time in the year 2006. Again in 2009, he was arrested in another case. Subsequently, he was arrested by Jharkhand police. He disclosed his involvement in commission of so many crimes, as can be seen from his confessional statement.

In such view of the matter, statement made in paragraph-3 of the application that petitioner has criminal antecedent of his involvement in two criminal cases only, is apparently false.

Considering the gravity of the offence and the



material collected in course of the investigation by the police, in
my opinion, it is not a fit case for grant of regular bail.

This application is accordingly rejected.

(Chakradhari Sharan Singh, J)

Rajesh/-

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