

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13619 of 2020

Arising Out of PS. Case No.-240 Year-2019 Thana- BAKHARI District- Begusarai

=====

BHAGWAN DAS Son of Upendra Tanti Resident of Village - Gharharwa,
P.S.- Bithan, District- Samastipur. Petitioner.

Versus

The State of Bihar. Opposite Party.

=====

Appearance :

For the Petitioner/s : Mr. Ram Sumiran Rai

For the Opposite Party/s : Mr. Anant Kumar 1

=====

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 02-06-2020 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered for the
offence punishable under Section 392 of the Indian Penal Code.

While the informant was going to Balia on his
motorcycle and when he reached near Darha bridge, two
motorcycle borne criminals stopped his motorcycle and on the
point of pistol they snatched his bag containing Rs.15302/-,
Lenov Tab, Printer and key of his motorcycle and escaped from
the place of occurrence towards Bakhari.

It is submitted by learned counsel for the petitioner
that no such occurrence as alleged ever took place. The
petitioner has committed no offence and has no concern with the
aforesaid occurrence. He has been falsely implicated in this
case. The allegation levelled against the petitioner is not specific
rather general and omnibus in nature. He has been languishing



in custody since 23.12.2019.

Per contra, learned APP for the State vehemently opposing the bail petition submitted that the informant in his re-statement in para-2, witness Lalit Kumar in para-5, witness Gulshan Kumar in para-6, witness Harihar Saw in para-7, witness Manoj Sada in para-8 and witness Muna Rai in para-9 of the case diary have fully supported the factum of occurrence as alleged in the F.I.R. In para-37 of the case diary, it has come that the occurrence of looting motorcycle was committed by the petitioner and the same motorcycle was recovered. It is also submitted that seven criminal cases under different sections of the Indian Penal Code has been pending against the petitioner and in all the cases he has been on bail.

In the facts and circumstances of the case and considering the criminal antecedents of the petitioner, I am not inclined to enlarge the petitioner on bail. The prayer for bail is hereby rejected.

However, petitioner is at liberty to renew his prayer for bail after framing of charge.

(Anjani Kumar Sharan, J.)

Trivedi/-

U		T	
---	--	---	--

