

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23965 of 2020

Arising Out of PS. Case No.-252 Year-2019 Thana- BELA District- Sitamarhi

Ram Pravesh Chaudhary Age - 30 years Gender - Male, S/o Ram Babu Chaudhary Resident of Village - Mahuawa P.S.- Bathnaha, District - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Y.C. Verma, Senior Advocate

For the Opposite Party/s : Mr. Parmanand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

5 09-12-2020 Heard Mr. Y.C. Verma, learned senior counsel for the petitioner and Mr. Parmanand Kumar, learned counsel appearing for the State through video conferencing.

Petitioner seeks regular bail in connection with Bela P.S. Case No. 252 of 2019 registered for the offence under Section 394 / 34 of the I.P.C.

The allegation as per the First Information Report is that two unknown persons entered the room of the petrol pump forcibly and when the nozzle man of the petrol pump protested, one person having pistol in his hand assaulted him with the butt of the pistol and on gun point looted Rs. 861854/- kept in the almirah and fled away.

Learned senior counsel for the petitioner submits that



petitioner has not committed any offence in the manner alleged and his name has transpired on the basis of his confessional statement made before the Police. Learned counsel further submits that the petitioner has not been put on T.I. Parade and only Rs. 5,000/- of the alleged looted money has been recovered from his house kept under the pillow on the basis of alleged confessional statement of the petitioner made before the Police. Learned counsel further submits that the petitioner is in custody since 24.12.2019.

On the other hand, learned counsel for the State vehemently opposed the prayer for bail and submits that the petitioner was caught with a country made gun and two live cartridges along with other miscreants and he is having 07 cases as criminal antecedent and the petitioner is a habitual offender. Learned counsel further submits that on the basis of the confessional statement of the petitioner the looted money has been recovered from his house and the petitioner has been seen in the C.C.T.V. footage installed at the petrol pump just before the time of occurrence.

Having regard to the submissions made by the parties and taking into consideration the materials available on record and the fact that petitioner has got criminal antecedents



inasmuch as 07 cases of similar nature are pending against the petitioner and he appears to be a habitual offender, I am not inclined to grant regular bail to the petitioner.

Accordingly, the same is rejected.

However, the petitioner may renew his prayer for regular bail after completion of six months from today, if the trial does not record any progress.

(Anil Kumar Sinha, J)

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