

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20926 of 2020

Arising Out of PS. Case No.-1052 Year-2019 Thana- HAJIPUR District- Vaishali

Awadhesh Rai @ Abdhesh Ray, Son of Late Ram Pravesh Rai, Resident of
Village - Paharpur West, P.S.- Jurawanpur, District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs.Bela Singh, Advocate

For the Opposite Party/s : Mr. M.K. Nirala, APP

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL ORDER

4 28-08-2020 Heard learned counsel for the petitioner and learned
counsel for the State.

In this case, the petitioner is seeking bail in connection with Hajipur Town P.S. Case No.1052 of 2019, registered for the offence punishable under Sections 395 and 397 of the Indian Penal Code.

In the present case, a broad day light robbery has been committed, large number of accused persons were identified in the CCTV footage and huge quantity of gold and cash have been looted. During investigation, the police has found the accused persons in CCTV footage in what manner they have committed the robbery. The statement of Satish Paswan at paragraph 219 and the statement of Chanchal Kumar at paragraph 266 have given the heavy description of commission of offence and both



have stated that *moti* was distributed in the house of the petitioner and at that time the petitioner was present. The petitioner has a previous criminal history of one case.

Counsel for the petitioner submits that the petitioner is not named in the FIR and his name has come during investigation in the confessional statement of co-accused Mukul @ Priya Ranjan Kumar. The petitioner has falsely been implicated in the present case as he is cousin of co-accused Dharmendra Rai and brother of co-accused Umesh Rai. It is urged that the petitioner has been remanded in this case on 10.01.2020 and since then he is in custody.

Looking to the entirety of the matter, this Court is not inclined to grant bail to the petitioner for the present.

Accordingly, the prayer for bail is rejected for the present.

However, the petitioner is at liberty to renew his prayer for bail after completion of one year of his jail custody.

(Shivaji Pandey, J)

V.K.Pandey/-

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

