

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22575 of 2020

Arising Out of PS. Case No.-38 Year-2020 Thana- HAJIPUR District- Vaishali

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Lucky @ Gyan Ranjan (Male) aged about 23 years, son of Ved Prakash,
Resident of Village - Sanchi Patti, Shakti Nagar, P.s.- Hajipur Town, Dist.-
Vaishali.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date : 12-10-2020

The matter has been heard *via* video conferencing due to
circumstances prevailing on account of the COVID-19 pandemic.

2. Heard Mr. Anil Kumar, learned counsel for the petitioner
and Mr. Shailendra Kumar Singh, learned Additional Public
Prosecutor (hereinafter referred to as the 'APP') for the State.

3. The petitioner is in custody in connection with Hajipur
Town PS Case No. 38 of 2020 dated 13.01.2020 instituted under
Section 392 of the Indian Penal Code.

4. The allegation against the petitioner is that he along
with others had looted cash of Rs. 13,90,000/- from the office of the
informant after assaulting the employees.

5. Learned counsel for the petitioner submitted that he is
not named in the F.I.R. and has been made accused only due to
confessional statement of co-accused. It was submitted that no Test



Identification Parade (TIP) has been held and also that no recovery has been made from him and is in custody since 12.04.2020.

6. Learned APP submitted that the petitioner has criminal antecedent being accused in three other cases of similar nature. Learned counsel submitted that as per the allegation itself, one of the miscreants was wearing helmet and three others had mask on their face, and, thus, there cannot be any occasion for conducting TIP. It was further submitted that as there is no enmity between the co-accused and the petitioner, there is no chance of false implication. Further, it was submitted that the police during investigation have to rely on various sources to get to the real culprits and the information given by a co-accused cannot be thrown away, at least for the present.

7. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, the Court is not inclined to enlarge the petitioner on bail.

8. Accordingly, the application stands dismissed.

(Ahsanuddin Amanullah, J)

Rakhi/-

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