

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25165 of 2020

Arising Out of PS. Case No.-12 Year-2019 Thana- PIRO District- Bhojpur

RAHUL KUMAR Son of Late Brijbihari Singh Resident of Village - Piro,
Ibrahimpur, Ward No.- 07, P.S.- Piro, District - Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.B.N.Pandey, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

5 11-11-2020 Heard both sides through Video Conferencing.

The petitioner seeks bail in Piro P.S. Case No.12 of
2019 registered under Section 392 of the Indian Penal Code.

The informant alleged that he and the driver of pick
up van bearing registration No.UP-54T-1194 proceeded after
loading fish in the vehicle. As soon as the vehicle reached near
Devchanda Bal Mushar Toli, one Bolero overtook the vehicle.
Two persons came out from the Bolero and forced the informant
and the driver of the pick up van to get down from the vehicle.
The informant and the driver of the vehicle were asked to sit in
the Bolero. The accused persons looted Rs.21,000/- cash, two
mobiles and other belongings. They also took away the pick up
van loaded with fish worth Rs.1,44,000/-. The accused persons
dropped the informant and the driver of the vehicle at a lonely



place.

The learned counsel for the petitioner submits that petitioner is not named in the F.I.R. The name of the petitioner surfaced in the case in the confessional statement of other accused persons. Petitioner was also apprehended and he is said to have confessed his guilt but no incriminating article has been recovered from the possession of the petitioner. The petitioner is in jail since 11.09.2019. The petitioner has got criminal antecedent but it is submitted that petitioner has falsely been implicated in many other criminal cases and in all the cases, the name of the petitioner surfaced in the confessional statement of co-accused.

Learned A.P.P. opposed the prayer for bail.

There appears that petitioner is not named in the F.I.R. and during the course of investigation, the name of the petitioner surfaced in the case in the confessional statement of co-accused. Petitioner was also arrested and he is said to have confessed his guilt but no looted article was recovered from the possession of the petitioner and petitioner was also not put on T.I.P. in order to ascertain the participation of the petitioner in the alleged road dacoity. Petitioner is in jail for more than a year.



Taking into consideration the facts aforesaid, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned 1st Additional Sessions Judge, Bhojpur at Ara in connection with Sessions Trial No.354 of 2019 arising out of Piro P.S. Case No.12 of 2019.

(Prabhat Kumar Jha, J)

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