

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27537 of 2020

Arising Out of PS. Case No.-212 Year-2019 Thana- BHAGWANPUR District- Vaishali

Shekhar Rai, aged about 19 years, S/o Maheshwar Rai, Resident of Village-
Lodipur, P.S.-Goraul, District-Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satish Kumar Sinha, Advocate

For the State : Mr.Ram Priya Sharan Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 09-12-2020 Heard the parties through the virtual court proceeding.

The petitioner seeks bail in connection with
Bhagwanpur P.S. Case No. 212 of 2019 registered for the
offence punishable under Section 392 of the Indian Penal Code.

The prosecution case in brief is that on 14.08.2019 at
02:30 O’Clock when the informant Rajiv Kumar was coming
Muzaffarpur, from Gaya by Bullet motorcycle bearing
Registration No.BR-06BB-0970, Chesis
No.ME3U3S5C1GM037132 and Engine
No.U3S5C0GM206471. During this journey, at Chatra bridge,
four unknown miscreants indicated the informant to stop the
motorcycle by showing pistol to which he stopped his
motorcycle. After which all the miscreants started abusing and
assaulting the informant. The miscreants snatched cellphones,



driving license, Aadhar Card, Pan Card, ESIC Card, Credit Card, ATM Card, cash rupees 10,000/- from the informant and his colleague namely Vijay Mandal who was with the informant on his motorcycle. Miscreants took the above stated Bullet motorcycle of the informant and fled away by waving pistol to the air.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. Petitioner is not named in the F.I.R. The petitioner has been made accused in the present case. On the basis of confessional statement of co-accused Raj Kumar, there is no recovery from the conscious possession of the petitioner. No T.I. Parade was held till date. He further submits that similarly situated co-accused has been granted bail by a Co-ordinate Bench of this Court passed in Cr. Misc. No.15936 of 2020 and Cr. Misc. No.26171 of 2020. The petitioner has been made accused in six cases mentioned in paragraph-3 of the bail petition.

Learned A.P.P. for the State opposed the bail petition.

In the facts and circumstances of the case, I am not inclined to enlarge the above named petitioner. Accordingly, the prayer for bail of the petitioner in connection with Bhagwanpur



P.S. Case No.212 of 2019 pending in the court of learned Additional District and Sessions Judge-X, Vaishali at Hajipur is hereby rejected. However, the petitioner is directed to renew his prayer for bail after framing of charge.

(Anjani Kumar Sharan, J)

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