

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27403 of 2020

Arising Out of PS. Case No.-86 Year-2019 Thana- BHAGALPUR GRP CASE District-
Bhagalpur

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Nepali Sah @ Suraj @ Suraj Sah Nepali, S/o Kishan Sah @ Krishna Sah,
Resident of Village-Shyambagh, Thana Road, Sultanganj, P.S-Sultanganj,
District-Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vivekanand Vivek, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 25-11-2020 Since as of now the Courts have not resumed

normal physical hearing, the matter has been listed today

for consideration through video conferencing.

The learned counsels are appearing and making

submissions from their residence.The Court Master and

Secretary are also part of this virtual Court proceedings

from their homes, all with the aid of audio visual

technology.

Mr.Kumar Virendra Narayan, learned APP is

appearing for the State as it is submitted that the brief has

been allotted to him by the office of Advocate General.

Heard learned counsel for the petitioner and the

learned APP for the State.



The petitioner seeks bail in connection with Bhagalpur G.R.P.S. Case No.86 of 2019 registered for the offence punishable under Section 392 of the Indian Penal Code and Section 3(A) of the R.P.(U.P.) Act.

It is alleged that the informant (gateman) was looted by unidentified miscreant in the night.

Petitioner's counsel submits that it is a case of false implication. Petitioner is not named in the F.I.R. and that the recovery is not alleged from the petitioner and the T.I. Parade, wherein he has been identified, is not in accordance with law.

Learned APP for the State has opposed the prayer for bail. It is submitted that the petitioner has been identified in the T.I. Parade and there is recovery of looted mobiles as per the seizure list and on the next day, he was apprehended with arms and also bears criminal antecedents.

Considering the rival submissions, this Court, for the present, is not inclined to allow the petitioner's prayer for bail. The same is rejected.

This Court would expect that the petitioner's counsel would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc.



within two weeks from the date he is called upon to do so by
the office.

(Madhuresh Prasad, J)

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