

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.27951 of 2020**

Arising Out of PS. Case No.-198 Year-2020 Thana- JAKKANPUR District- Patna

ANKIT KUMAR Son of Krishna Kant Resident of Mohalla - Adarsh Colony
Road No. 4, Khemnichak, Police Station - Ram Krishna Nagar, District -
Patna.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ansul, Advocate
Mr. Arvind Kumar Mouar, Advocate
For the Opposite Party/s : Mr. Akhileshwar Dayal, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

3 01-12-2020 Heard learned counsel for the petitioner and Mr.
Akhileshwar Dayal, learned APP for the State in absence of Mr.
Sanjay Kumar Pandey, APP.

The petitioner in the present case is seeking regular bail in connection with Jakkanpur P.S. Case No. 198 of 2020 registered for the offences punishable under Sections 401, 414 of the Indian Penal Code and Sections 8C, 21(C), 25 and 29 of the Narcotic Drugs and Psychotropic Substances Act.

Learned counsel for the petitioner submits that as per the first information report when the Police party surrounded the Scorpio vehicle near Mithapur Bus Stand over bridge, it is alleged that four persons who were sitting inside started fleeing away but on chase Police arrested three persons, one of them is this petitioner.

Learned counsel submits that according to the FIR, 100



grams of Charas and 120 grams of Brown Sugar was recovered from the vehicle and it is alleged that the petitioner and others have planned to commit theft from the passengers in the bus stand and they disclosed that they had snatched some mobile phones and cash earlier from the passengers which were distributed among themselves. The manner in which they have committed the alleged occurrence have been narrated by the accused persons in their statements and on the basis of disclosure made by them, Police recovered some incriminating materials from the hut of co-accused Vicky Kumar.

Learned counsel submits that so far as this petitioner is concerned, the vehicle is not registered in his name, he is running a tour and travel agency and the vehicle in question were hired by some customers. It is submitted that because no driver was available during the lockdown period, the petitioner was himself driving the vehicle.

On the other hand, learned APP for the State has submitted that the fact that the petitioner himself submits that he was running the vehicle and it was he who had been providing the vehicle as tour and travel agent and then in course of raid from the said vehicle Charas and Brown Sugar were recovered and not only that, on the disclosure made by the arrested persons some incriminating articles have also been recovered, as per their own disclosure they are involved in looting the passengers in the name of



giving them a seat in the vehicle to travel from one place to another, the petitioner does not deserve privilege of regular bail.

Having regard to the facts and circumstances of the case and in the nature of materials from which it appears that when the Police raided the vehicle in question they recovered 220 grams of Charas and Brown Sugar and further that the disclosure of the accused led to recovery of some incriminating materials, prima-facie showing that they were involved in looting the passengers, this Court is not inclined to enlarge the petitioner on regular bail at this stage. His prayer for bail is thus, refused.

Let the trial be expedited. The trial court shall proceed with the trial as early as possible and in case the trial is not concluded within nine months from today for no reasons attributable to the petitioner, he may renew his prayer for bail

The application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

