

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28315 of 2020

Arising Out of PS. Case No.-185 Year-2019 Thana- JANDAHA District- Vaishali

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Anil Rai Son of LaLalbabu Roy Resident of Village - Taliya, Bahari chowk,
P.S.- Rajapakar, District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Niranjana Parihar

For the Opposite Party/s : Mr.A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 09-11-2020 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Jandaha P.S. Case No. 185 of 2019 registered for the offence under Section 395 of the Indian Penal Code.

As per prosecution case, when the informant (driver) on 25-07-2019 at about 8:00 PM went for Saharsa with his pick-up van loaded with chocolate worth Rs. 1.5 lacs and reached near village Chakfatah Hanuman Mandir, P.S. Jandaha, five persons sitting in a car stopped his vehicle and two of them, looted the pick up van on the point of pistol and thereafter, they fled away with the pick-up van.

It is submitted on behalf of petitioner that petitioner is not named in the F.I.R. Name of the petitioner has come on the



confessional statement of the co-accused. Petitioner has been remanded in this case on 20-01-2020 and no incriminating article has been recovered from the possession of petitioner. It is further submitted apart from the present case, through petitioner is accused in three more cases, but in two cases, he is on bail.

However, learned A.P.P. for the State has vehemently opposed the bail application and submitted that on the basis of confessional statement of petitioner, looted chocolate was recovered from the house of the petitioner and petitioner has also criminal antecedent, as stated in paragraph – 3 of the petition.

Considering the aforesaid facts and circumstances and the fact that looted article has been recovered from the house of petitioner and petitioner has also got criminal antecedent, I am not inclined to extend the privilege of bail to the petitioner. Accordingly, the bail application stands dismissed.

(Prabhat Kumar Singh, J.)

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