

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28353 of 2020

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

RAHUL KUMAR Son of Muneshwar Rai Resident of Village- Sarmastpur,
P.S.- Rajapakar, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Singh
For the Opposite Party/s : Mr.A.G

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 10-11-2020 This matter is taken up for consideration through

Video Conferencing under the orders of Hon'ble the Chief

Justice.

Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner seeks bail in Jandaha P.S. Case No. 185
of 2019 GR No. 4230/2019, registered for the offence
punishable under Section 395 of the Indian Penal Code.

The informant is driver of the Bolero Pick up van. It is
alleged that on 25.07.2019 at 8.00 pm. the informant left for
Saharsa by pick up van in which chocolate worth Rs. 1.5 lakh
was loaded. On the way, a red colour car without registration
number stopped his vehicle by overtaking. Five persons were
sitting in that car. The miscreants looted the pick up van on the
point of gun and also took the informant with them. Thereafter,



the miscreants left the informant near Shahpur Chowk and took away the vehicle.

It is submitted on behalf of the petitioner that petitioner has falsely been implicated in this case merely on suspicion. Petitioner is neither named in the FIR nor any incriminating article has been recovered from his possession. Name of petitioner has come in this case on the basis of confessional statement of co-accused Anil Kumar Rai. Petitioner has been remanded in this case on 22.01.2020.

Learned APP however, vehemently opposed the prayer for bail and submitted that on the confession of co-accused Anil Rai looted chocolate was recovered from the house of petitioner as mentioned in para 49 of the case diary. Petitioner has got criminal antecedent.

Considering the facts aforesaid and criminal antecedent of petitioner, I am not inclined to enlarge the petitioner above-named on bail. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

vinita/-

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