

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14103 of 2021

Arising Out of PS. Case No.-114 Year-2020 Thana- PRATAPGANJ District- Supaul

AMARDEEP DAYAL Son of Ramesh Dayal Resident of Village- Indra
Nagar, Ward No. 16, P.S.- Jogbani, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramesh Kumar Singh, Advocate

For the Opposite Party/s : Mr. Anil Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 26-08-2021 Heard learned counsel for the parties through video conferencing.

The petitioner has preferred this application for grant of regular bail in connection with Sessions Trial no. 213 of 2020 (arising out of Pratapganj P.S. Case no. 114 of 2020) registered under section 392 of the Indian Penal Code.

As per the prosecution case, it is stated by the informant who happens to be the manager of Hari Om Traders that while he was returning after making collection of Rs. 49 lacs in cash from different traders along with the driver Sanoj Kumar, on way four accused persons over-powered the informant, beat both of them up and took away the bag containing the money in their pick-up van as also a Scorpio vehicle.

It is submitted by learned counsel for the petitioner that the FIR was registered against four unknown. No incriminating article has been recovered from the possession of the petitioner. In course of investigation the police intercepted a Scorpio vehicle near a toll plaza and recovered Rs. 26,15,750/- from the said Scorpio vehicle. The petitioner who helps his brother in



business had hired the alleged Scorpio vehicle which was intercepted by the police while they were going to Begusarai after collection of the dues amount. The petitioner was arrested under a misunderstanding. He is in custody since 26.8.2020 and has no criminal antecedent. Investigation in the case has concluded.

Heard learned APP for the State.

Having heard learned counsel for the parties, it transpires from the FIR that the allegation is of the accused persons having taken Rs. 49 lacs after assaulting the informant. From the contents of the seizure list, a sum of approx Rs. 46.15 lacs was recovered from the Scorpio vehicle, description of which including the description of the sticker with the name of 'Roy' match the description given in the FIR and the petitioner was taken into custody. Thus, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

(Partha Sarthy, J)

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