

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16750 of 2021

Arising Out of PS. Case No.-13 Year-2020 Thana- BANDEYA District- Aurangabad

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Amit Kumar Son Of Sita Ram Paswan Resident Of Village- Bhadeja, P.S.-
Muffasil Gaya, District- Gaya. Petitioner/s

Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Kumar Singh

For the Opposite Party/s : Mr. Md. Shakir Ahmad

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 29-07-2021 Heard learned counsel for the petitioner and learned A.P.P. for
the State through virtual court proceeding.

Learned counsel for the petitioner undertakes to remove the
defects within four weeks of resumption of normal court proceeding.
In the eventuality of non-removal of defects within undertaken
period, the office will place the matter before the Bench.

The petitioner seeks bail in connection with Bandeya P.S.
Case No. 13 of 2020 registered for the offence punishable under
Section 392 of the Indian Penal Code.

The prosecution case which is based on written statement of
Sriniwas Pathak, who runs a CSP of P.N.B is that petitioner along
with other three miscreants have surrounded the motorcycle of the
informant and on the point of country made katta looted and took
away his bag containing cash of Rs. 2,30,000/-, cheque book, twenty
pass book, identity card and other documents while he was returning
to his village. They also took away mobile phones as well as
motorcycle from the informant and his staff *Devdip Kumar*.



It is submitted by learned counsel for the petitioner that petitioner has falsely been implicated in this case and has not committed any offence as alleged in the FIR. He submits that petitioner is not named in the F.I.R. nor any suspicion has been raised against him. He further submits that petitioner has not been put on T.I. parade till date. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. The petitioner has two criminal antecedents as has been mentioned in para 3 of this bail petition and has been languishing in custody since 02.07.2020.

Learned APP for the State vehemently opposed the bail petition and submitted that on the confessional statement of the co-accused police has recovered the articles which is looted from the place of occurrence.

In the facts and circumstances of the case I am not inclined to grant bail to the petitioner in connection Bandeya P.S. Case No. 13 of 2020 from the Court of learned Judicial Magistrate, 1st Class, Daudnagar, District - Aurangabad.

Accordingly, the prayer for bail of the petitioner is dismissed.

However, the petitioner is given liberty to renew his prayer for bail **after framing of charge**.

(Anjani Kumar Sharan, J)

GAURAV S./-

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