

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19962 of 2021

Arising Out of PS. Case No.-161 Year-2019 Thana- MAHINDWARA District- Sitamarhi

Raushan Kumar @ Chhotu Son Of Vinay Kumar Singh @ Khobhari Singh
Resident Of Village - Korlohiya Mansingh, P.S.- Mahindwara, District -
Sitamarhi - 843117

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Subodh Kumar

For the Opposite Party/s : Mr. Dashrath Mehta

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 28-09-2021 Heard learned counsel for the petitioner and learned A.P.P. for
the State.

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 Mahindwara P.S.
Case No. 161 of 2019 registered for the offence punishable under
Sections 356 and 379 of the Indian Penal Code.

Allegation against the petitioner is that petitioner along with
two other co-accused persons looted cash, ATM of SBI, passbook
and other important documents from the informant who works as
Field Officer in L & T Micro Finance Ltd. It is alleged that the
accused persons snatched his bag containing cash of office



amounting Rs. 86,450/-, informant's self money of Rs. 2,500/- due to which he fell down and all accused persons fled away.

Learned counsel for the petitioner submits 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. and petitioner has not been put on T.I. parade. He submits that on the basis of confessional statement of co-accused *Ravi Shankar Kumar @ Satyam*, petitioner has been falsely implicated in the present case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. The petitioner has four criminal antecedents as has been mentioned in para 3 of this bail application and he is languishing in custody since 11.09.2020.

Learned APP for the State vehemently opposing the bail petition submits that on perusal of paragraph Nos. 6, 7 and 8 of the case diary, it shows that all the prosecution witnesses including the informant have fully supported the prosecution case. One black bag containing cash of Rs. 50,000/- and one Honour mobile phone were recovered from the possession of the petitioner.

In the facts and circumstances of the case, I am not inclined to grant privilege of bail to the petitioner in connection with Mahindwara P.S. Case No. 161 of 2019 to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi.

Accordingly, prayer for bail of the petitioner is hereby



rejected.

However, petitioner may renew his prayer for bail **after framing of charge.**

(Anjani Kumar Sharan, J)

GAURAV S./-

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