

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24395 of 2021**

Arising Out of PS. Case No.-128 Year-2018 Thana- ALAMNAGAR District- Madhepura

Shambhu Mehta Son Of Mahendra Mehta Resident Of Village - Madadpur
Basa @ Madanpur Basa @ Madhatpur Basa Jagdishpur, P.S. - Alam Nagar,
District - Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dr. Sanjay Kumar Singh

For the Opposite Party/s : Mr. Ram Bilash Roy Raman

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

2 18-08-2021 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 Alam Nagar
P.S. Case No. 128 of 2019 registered for the offence punishable
under Section 392 of the Indian Penal Code.

Allegation against the petitioner is that petitioner along
with three other co-accused persons on a point of gun snatched a
bag from the informant which contains Rs.54,500/- and other



articles while informant was returning from *Fulaut Bazar* after collecting money. It is alleged that after committing said occurrence they all fled away.

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. and no T.I. parade has been done till date. No incriminating article has been recovered from his conscious physical possession. He submits that on the basis of confessional statement of co-accused petitioner has falsely been made accused in the present case. He further submits that charge sheet has been filed in the present case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. The petitioner has sixteen criminal antecedents and has been languishing in custody since 03.02.2020.

Learned APP for the State vehemently opposing the bail petition submitted that para 12 of the case diary clearly states that informant has identified the accused petitioner on seeing the photograph of petitioner available in an Album at local police station.

Considering the facts aforesaid and the fact that petitioner



has sixteen criminal antecedents against him, I am not inclined to grant privilege of bail to the petitioner in connection with Alam Nagar P.S. Case No. 128 of 2018 to the satisfaction of learned A.C.J.M 1st Uda Kishunganj, Madhepura.

Accordingly, prayer for bail of the petitioner is hereby rejected.

However, trial Court is directed to expedite the trial.

(Anjani Kumar Sharan, J)

GAURAV S./-

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