

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27748 of 2021

Arising Out of PS. Case No.-209 Year-2020 Thana- VIDYAPATINAGAR District-
Samastipur

Nilesh Kumar S/O Kailash Bhagat R/O Village And Post- Balkrishnapur, P.S.-
Morwa Vidyapati Nagar, District- Samastipur Petitioner
Versus

The State Of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr.S.K.Lal, Advocate
For the Opposite Party/s : Mr.Md.Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 25-10-2021 Learned counsel for the petitioner undertakes to remove all the defects pointed out by the Stamp Reporter within four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr. Md. Fahimuddin, learned APP for the State.

The petitioner in the present case is seeking regular bail in connection with Vidyapati Nagar P.S. Case No. 209 of 2020 registered for the offences punishable under Sections 392, 411 of the Indian Penal Code. The petitioner is in custody since 18.01.2021. He has two criminal antecedents as per paragraph '3' of the petition.

As per the prosecution story, on 18.11.2020 in the evening when the informant was going towards Dalsing Sarai on a motorcycle after collection of money, three persons on a motorcycle stopped him and looted Rs.1,30,620/-, laptop and other articles on the point of pistol. On hulla, the accused persons tried to flee away but one of them (this petitioner) carrying looted articles was apprehended by the police patrolling party.



Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. The petitioner is in custody since 18.01.2021.

Learned APP for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the seriousness of the allegation in which this petitioner is said to be one of the miscreants who had looted the sum of Rs.1,30,620/- from the informant with the help of his associates putting the life of the informant in danger and under threat on the point of pistol and then he was arrested on the spot with the money as also that he has got criminal antecedents and while enjoying bail, he has indulged in this occurrence, in the presence of the *prima-facie* materials against the petitioner, this Court is not inclined to release the petitioner on bail at this stage. The prayer for regular bail of the petitioner is, thus, refused.

Let the trial be expedited. If the trial remains unconcluded for a period of nine months from the date of communication of this order for no reason attributable to the petitioner, he may renew his prayer for bail.

The application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

SUSHMA2/-

U		T	
---	--	---	--

Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

