

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19932 of 2020

Arising Out of PS. Case No.-512 Year-2019 Thana- RAJAON District- Banka

1. MD. ALTAF HUSSAIN @ MD. AFTAB HUSAIN Son of Akbar Ansari Resident of Village- Taljhari, P.S.- Deodand, District- Godda (Jharkhand)
2. Md. Talib Ansari Son of Rahim Ansari Resident of Village- Taljhari, P.S.- Deodand, District- Godda (Jharkhand)
3. Subhan Ansari Son of Late Sahid Ansari Resident of Village- Taljhari, P.S.- Deodand, District- Godda (Jharkhand)
4. Md. Irfan Ansari Son of Sarwan Ansari Resident of Village- Taljhari, P.S.- Deodand, District- Godda (Jharkhand)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Najmul Hodda

For the Opposite Party/s : Ms.Nirmala Kumari (APP)

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

8 07-01-2021

Heard learned counsel for the parties.

This application for regular bail arises out of Rajoun P.S. Case No. 512 of 2019, disclosing the offence punishable under Sections 392 of the Indian Penal Code.

The FIR was registered against unknown with the allegation that four miscreants riding in two motorcycles waylaid the truck, which the informant was driving, they snatched from him his valuables, mobile phone and took away the truck at gun point using a pistol. The informant and the cleaner of the truck were allegedly dragged to nearby field and left there, after tying their hands and legs. The names of these petitioners surfaced during the course of investigation.



Learned counsel appearing on behalf of the petitioner has submitted that the petitioners are in custody since 23.12.2019 and that there is no tangible evidence collected in course of investigation for their prosecution.

Case diary was called for, which is there on record. It transpires from the case diary that the persons apprehended during course of investigation confessed their involvement before the police in commission of the offence during which the names of these petitioners surfaced as active participants and perpetrators of the crime in question and of other crimes of similar nature. It has transpired during course of investigation that the petitioners are members of a criminal gang engaged in road robbery and other crimes of serious nature.

In the aforesaid circumstance, I am not inclined to grant the petitioners privilege of regular bail for the present.

This application is accordingly rejected.

The petitioners shall be at liberty to renew their prayer for bail after six months if in the meanwhile, there is no substantial progress at the trial.

(Chakradhari Sharan Singh, J)

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