

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.30143 of 2020

Arising Out of PS. Case No.-107 Year-2020 Thana- RAGHOPUR District- Supaul

JAI KISHOR KUMAR S/o Arjun Yadav R/o Vill.-Bhaiya Ram Vishanpur,
Ward No.-10, P.S.-Bhargama, Distt.-Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun
For the Opposite Party/s : Mr. Murlidhar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

3 12-01-2021 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with
Raghopur Police Station Case No. 107 of 2020, registered for
the offence punishable under Section 394 of the Indian Penal
Code and Section 27 of the Arms Act.

The prosecution case, as per the First Information
Report, is that four persons, riding on two motorcycles,
intercepted the informant and looted away a sum of Rs.
5,00,000/- on gun-point and also fired, due to which the staff of
the informant, namely, Baijnath Sah, received bullet injury on
his cheek.

Learned Counsel for the petitioner submits that the



petitioner has falsely been implicated in this case on the basis of confessional statement of co-accused persons, namely, Dinesh Sah and Sujit Kumar, and merely the motorcycle of the petitioner was used by them. He further submits that no incriminating materials or looted cash has been recovered from the possession of the petitioner and the petitioner has not been put on Test Identification Parade.

On the other hand, learned Additional Public Prosecutor vehemently opposes the prayer for bail and submits that in the confessional statement made by co-accused, it has been stated that the petitioner is the person who fired upon the staff of the informant and the motorcycle of the petitioner was also used in the commission of alleged crime. He further submits that the petitioner had share in the looted amount and he is having criminal antecedent, too.

Having heard learned Counsel for the parties and taking into consideration the materials on record and the fact that the petitioner has got criminal antecedent, I am not inclined to grant regular bail to the petitioner, at this stage.

This application is, accordingly, dismissed.

However, the petitioner may renew his prayer for bail after nine months from today if the trial does not show any



progress.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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