

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6060 of 2021

Arising Out of PS. Case No.-33 Year-2020 Thana- BACHHWARA District- Begusarai

Krishna Kumar @ Kunal, Son of Uday Shankar Sharma @ Uday Sharma
Resident of village - Sahuri Ward No. 6, P.S.- Birpur, District- Begusarai,
Presently residing at C/o Rambahadur Sharma (Nana), resident of village -
Marsaiti, Ward No. 7, P.S. Teghra, Distt. Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam, Adv.

For the Opposite Party/s : Mr.Kr. Veerendra Narayan, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 15-07-2021 Heard learned counsel for the petitioner and learned
APP for the State through virtual court proceedings.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 392 of the Indian Penal
Code.

The prosecution case in brief, is that the informant
namely Gautam Kumar and his friend are running customer care
service of UCO Bank in their respective village. On 24.02.2020
he and his friend reached UCO Bank Rani withdrawn
Rs.3,45,000/- and 1,45,000/- respectively and both of them kept
in their bag and both of them departed from aforesaid bank to
his village by one motorcycle. In the way at about 17.47 hour
they reached Mohania Dhala turning, in the meantime, two



motorcycles boarded two persons on each motorcycle came and one motorcycle rider restrained them and two persons who boarded on second motorcycle pointed pistol upon them and snatched bags containing cash of both of them. They had also snatched purse of Nawneet containing ATM, PAN card and cash of Rs.3200/- an mobile with two SIMs and they also snatched key of his motorcycle and fled away toward Teghra.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. The petitioner is not named in the FIR. The petitioner is in jail custody since 19.06.2020. He further submits that he has filed supplementary affidavit and enclosed the FIR of Teghra P.S. Case No. 52/2020 dated 28.02.2020 in which police had instituted special team for the recovery of the amount. The police instituted team in different places and the said team in Teghra P.S. Case No. 52/2020 dated 28.02.2020. The police recovered Rs.1,50,000/- and one country made pistol and one motorcycle from the possession of the petitioner. Seizure list enclosed in Annexure-2 of the supplementary affidavit.

Learned APP for the State opposed the prayer for bail petition.

Considering the recovery is made from the possession



of the petitioner, I am not inclined to enlarge the petitioner on bail. Accordingly, the prayer for bail of the petitioner is rejected in connection with Bachhwara P.S. Case No. 33/2020 from the Court of learned Chief Judicial Magistrate, Begusarai.

Accordingly, this application is dismissed.

(Anjani Kumar Sharan, J)

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