

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33214 of 2020

Arising Out of PS. Case No.-151 Year-2020 Thana- KISHANGANJ District- Kishanganj

MD. GULAM MUSTAFA @ GHULAM MUSTAFA Son of Tamijuddin
Resident of Mohalla - Bali Chuka, P.S.- Goalpokhar in the district of Uttar
Dinajpur (W.B.).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kr. Thakur
Mr.Sunil Kumar
For the Opposite Party/s : Mr.Dinesh Singh

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 18-01-2021 Heard learned counsel for the parties.

This application for regular bail arises out of Kishanganj P.S. Case No. 151 of 2020, disclosing the offence punishable under Section 392 of the Indian Penal Code.

It is the prosecution's case that the informant was waylaid by three miscreants when he was going in a *Scorpio* vehicle and huge amount of cash was snatched from him. The FIR was registered against unknown. During the course of investigation the petitioner's name surfaced on the basis of confessional statement of a co-accused, who vividly described the manner of occurrence. On the basis of disclosure made by him, allegedly, some amount of looted cash was recovered by



the police, as is evident from the case diary.

Mr. Ajay Kumar Thakur, learned counsel appearing on behalf of the petitioner has argued that except for the said confessional statement there is no material against this petitioner to connect him with the offence. He has submitted that there is no recovery from the petitioner's possession of any incriminating material.

Be that as it may, considering the circumstance that confessional statement of co-accused has led to recovery of some cash by the police and that the petitioner has criminal antecedent, as disclosed in paragraph 3 of the application, I am not inclined to grant him privilege of regular bail for the present.

This application is accordingly rejected. However, petitioner is at liberty to renew his prayer for bail after six months, if there is no substantial progress at the trial.

(Chakradhari Sharan Singh, J)

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