

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37657 of 2020

Arising Out of PS. Case No.-368 Year-2019 Thana- MAKHDUMPUR District- Jehanabad

VIKASH KUMAR SON OF ASHOK KUMAR SINGH RESIDENT OF
VILLAGE- GOAY CHAK, P.S.- NAUBATPUR, DISTRICT- PATNA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjay Kumar Singh
For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 08-03-2021 Heard both sides.

The petitioner seeks bail in Makhdumpur P.S. case
No. 368/2019 registered u/s 394 of the IPC.

The informant alleged that he being in-charge of CSP
withdrew Rs. 55,000/- from the SBI ATM, Makhdumpur and
kept the same in his bag. While he was returning and reached
near Gas Agency two persons came on a motor cycle and
snatched his bag containing money. The accused persons fled
away towards Tehta.

The learned counsel for the petitioner submits that
petitioner is not named in the FIR. The name of petitioner
surfaced in the case in the confessional statement of the
petitioner in Sakurabad PS case No. 178 of 2019 and save and
except confessional statement of the petitioner there is no



material. It is further submitted that from perusal of paragraph 39 of the case diary, it would appear that informant after receiving information that another person was looted and criminals were apprehended by the villagers and they handed over the criminals to the police out of curiosity the informant went to the P.S. and identified both the accused persons, who committed robbery with him. It is further submitted that this statement has got no evidentiary value and thereafter the petitioner has been implicated in three other robbery cases but it appears that, of course, the petitioner is not named in the FIR but from perusal of paragraph 39 of the case diary it appears that informant went to see the accused persons, who are said to have looted another businessman and apprehended by the villagers, and identified both the accused, including the petitioner, and disclosed before the police that both the accused persons had committed robbery with him.

Taking into consideration the facts aforesaid and the fact that petitioner has got criminal antecedent, I am not inclined to enlarge the petitioner on bail. Accordingly, the same is rejected.

The trial court is directed to hold the trial on day to day basis and conclude the same within five months from the



receipt of this order.

The Superintendent of Police, Jehanabad is directed to ensure the attendance of prosecution witnesses in the trial court so that the trial must be concluded within five months.

Let a copy of this order be sent to the trial court and the Superintendent of Police, Jehanabad for information and needful.

If the trial is not concluded within five months, the petitioner, if so advised, may renew his prayer for bail.

(Prabhat Kumar Jha, J)

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