

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38183 of 2020

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

Deepak Kumar son of Rampravesh Das @ Ram Prabesh Das @ Ram Pramesh Das @ Ram Pravesh Tanti Resident of Village- Daniyalpur, ward no.4, P.S. Teghra, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam,Advocate
For the Opposite Party/s : Mr.Shailendra Kumar Singh,APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 27-04-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State through video conferencing.

The petitioner seeks bail in Bachhwara P.S. Case No. 33 of 2020, registered for the offence under Section 392 of the Indian Penal Code.

As per the prosecution case, on 24.02.2020, the informant and his friend, after withdrawing money from the bank, were returning on a motorcycle, four unknown miscreants on two motorcycles intercepted them (informant and his friend) and on the point of pistol, snatched the bag containing cash from them.

Petitioner is not named in the FIR. The name of



petitioner has come on the basis of self-confessional statement of the petitioner, which has got no evidentiary value in the eye of law. It is further submitted on behalf of petitioner that the so called recovery has been made in connection with a different case i.e. Teghra P.S. Case No. 52 of 2020. It is further submitted that the case of the petitioner is similar to the case of co-accused Rupak Singh, who has already been granted bail by this Court, vide order dated 08.03.2021 passed in Cr.Misc. No. 39277 of 2020.

However, learned A.P.P. for the State has vehemently opposed the bail application and submitted that on the disclosure made by this petitioner, one country-made pistol with live cartridges and looted cash of Rs. 50,000/- have been recovered during course of investigation and petitioner has also got one criminal antecedent. It is further submitted that the petitioner cannot claim parity with the case of co-accused Rupak Singh, since from the possession of co-accused Rupak Singh, no looted article has been recovered, whereas, on the disclosure made by this petitioner, looted money was recovered.

Considering the aforesaid facts & circumstances and the fact that alleged recovery has been made on the disclosure



made by this petitioner, I am not inclined to grant bail to the
petitioner and same stands rejected.

(Prabhat Kumar Singh, J.)

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