

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37565 of 2020

Arising Out of PS. Case No.-370 Year-2020 Thana- KHAGARIA District- Khagaria

Amit Kumar @ Bengwa, aged about 19 years (male), son of Munna Ram Kahar, resident of Village- Dhobi Tola, Ward No. 18, P.S.- Khagaria, District- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ranjeet Kumar Singh, Advocate
For the State	:	Mr. Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date : 02-03-2021

Heard Mr. Ranjeet Kumar Singh, learned counsel for the petitioner and Mr. Jharkhandi Upadhyay, learned Additional Public Prosecutor (hereinafter referred to as the 'APP') for the State.

2. The petitioner is in custody in connection with Khagaria PS Case No.370 of 2020 dated 23.05.2020, instituted under Sections 457, 380 of the Indian Penal Code.

3. The allegation against the petitioner, along with others, is of stealing gold and ornaments from the shop of the informant.

4. Learned counsel for the petitioner submitted that only on suspicion he has been made accused and arrested. It was submitted that the so-called CCTV footage, which is the basis



for identification, has not been corroborated. It was submitted that the petitioner has no criminal antecedent and is in custody since 18.08.2020.

5. Learned APP, from the case diary, submitted that the CCTV footage has been verified by the witnesses as well as the informant and thereupon, the petitioner was arrested. It was submitted that even witnesses have stated that the box, which was stolen from the shop of the informant, was seen being carried by two persons, including the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, the Court is not inclined to enlarge the petitioner on bail.

7. Accordingly, the application stands dismissed.

8. However, let the trial be expedited.

(Ahsanuddin Amanullah, J)

J. Alam/-

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