

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.229 of 2021

Arising Out of PS. Case No.-567 Year-2019 Thana- JAMUI District- Jamui

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Damodar Rawat @ D.K. Rawat S/O Late Ramdular Rawat Resident Of
Village-Lagama, P.S Jamui, District Jamui Petitioner

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr.Satya Prakash Parasar,Advocate

For the Opposite Party/s : Mr.Brajendra Nath Pandey,APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 05-04-2021 Heard learned counsel for the petitioner and Mr. Brajendra Nath Pandey, learned APP for the State.

The petitioner in the present case is seeking regular bail in connection with Jamui P.S. Case No. 567 of 2019 registered for the offences punishable under Sections 396 of the Indian Penal Code and Section 27 of the Arms Act.

Learned counsel for the petitioner submits that the FIR is against unknown, however, in course of investigation the name of this petitioner has been brought in this case on the basis of a CCTV footage collected by the I.O. from one Shop in which the petitioner and the co-accused were found moving behind the deceased. Learned counsel submits that the CCTV footage has been collected from a shop which is situated at a distance of 3 kilometers from the alleged place of occurrence.

On the other hand, learned APP for the State has opposed the prayer for bail of the petitioner. It is submitted that as per the FIR the occurrence has taken place during the night hours at or about 08:30



P.M., therefore, the CCTV footage is a vital piece of evidence in the hands of the I.O. as the petitioner has been found moving behind the son of the informant who was running the CSP and had been going with a cash of Rs.10 lakhs and his laptop.

Learned counsel submits that in course of investigation confessional statement of some co-accused including that of the petitioner has also been extracted and the same is on the record. The petitioner has also got a criminal antecedent as he is an accused in Jamui P.S. Case No. 235 of 2019 under Sections 302/34/201/120B of the Indian Penal Code.

Considering the facts and circumstances of the case and the materials collected by the I.O. and the identification of the petitioner by one of the witnesses from the CCTV, as also the criminal antecedent of the petitioner, this Court is not inclined to grant regular bail to the petitioner at this stage.

The prayer for regular bail of the petitioner is, thus, refused.

Let the trial be expedited.

The learned court below shall conduct the trial as expeditiously as possible. The prosecution shall cooperate in early conclusion of trial.

This application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

