

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7713 of 2021

Arising Out of PS. Case No.-177 Year-2019 Thana- PARIHAR District- Sitamarhi

JITENDRA KUMAR @ JITENDRA RAY, s/o Lalu Ray, Resident of Village-
Jhitkahiya, Ward No.5, P.S. Bathnaha, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pushpendra Kumar Singh, Adv.
For the Opposite Party/s : Mr.Dilip Kumar No.1, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 03-09-2021 Heard learned counsel for the petitioner and learned
APP for the State through virtual Court proceedings.

The petitioner seeks bail in a case registered for the
offence punishable under Section 392 of the Indian Penal Code.

Allegation against the petitioner alongwith other
accused persons is said to have looted the informant on the gun
point and fled away.

Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case. He further submits that the petitioner is not named in the
FIR. On the confessional statement of co-accused, petitioner has
been made accused in this case. There is no any incriminating
articles has been recovered from the conscious possession of the
petitioner and there is no T.I. Parade till date. The petitioner is in
judicial custody since 18.06.2020. The petitioner has 07



criminal antecedents which is mentioned in para 3 of the bail petition. Similar situated co-accused have been granted bail by different co-ordinate Benches of this Court.

Learned APP for the State vehemently opposed the prayer for bail petition and submits that the petitioner is habitual offender.

I perused the record including the case diary, the petitioner has 07 criminal antecedents.

Considering the aforesaid facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail. Accordingly, the prayer for bail of the petitioner is rejected in connection with Parihar P.S. Case No. 177/2019 from the Court of learned Judicial Magistrate 1st Class, Sitamarhi.

Accordingly, this application is dismissed.

However, the petitioner is at liberty to renew his prayer for bail after framing of charge.

(Anjani Kumar Sharan, J)

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