

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.6252 of 2021**

Arising Out of PS. Case No.-319 Year-2018 Thana- HAJIPUR SADAR District- Vaishali

CHINIYA @ MONU SINGH Son of Vinay Singh Resident of Village -
Daulatpur Chandi, Police Station - Hajipur Sadar, District - Vaishali.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Anil Kumar, Advocate

For the Opposite Party/s : Mr. A.M.P. Mehta, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

5 03-08-2021 Learned counsel for the petitioner undertakes to

remove all the defects as pointed out by office within four

weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and learned

A.P.P. for the State.

Petitioner in the present case is seeking regular bail in

connection with Hajipur Sadar P.S. Case No. 319 of 2018

registered for the offences punishable under Section 392 of the

Indian Penal Code.

As per the prosecution story on 22.05.2018 the

informant after making collection for Bharat Financial Inclusion

Limited proceeded towards Lalganj on his Glamour motorcycle.

He was having Rs. 72,761/- solar light, Samsung Tab, biometric

machine, Airtel tab and a Lava mobile with himself. When the informant reached Chandi village he was surrounded by three unknown criminals and was taken on gun point and the criminals snatched away his bag and all the articles including motorcycle and fled away towards Shama Chak. Since he used to regularly visit the village he identified the petitioner and other accused persons.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. It is further submitted that there is no specific allegation against this petitioner and nothing has been recovered from his conscious possession. It is submitted that petitioner has not been put on T.I.P. Learned counsel submits that the petitioner is in custody since 20.08.2020 having no criminal antecedent.

Learned APP for the State is present and has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case wherein this Court has noticed from the First Information Report that the specific allegation of pointing the pistol upon the informant is against co-accused Vikram Kumar and then another co-accused Sonal Kumar had snatched the bag and this petitioner has been named one who was also involved in the

alleged occurrence in surrounding the informant and looting away the money and the motorcycle of the informant, there being an identification of this petitioner by the informant, also considering the conduct of the petitioner that his prayer for anticipatory bail was rejected by a learned co-ordinate Bench of this Court on 04.12.2018 but he has surrendered in this case at a much belated stage on 20.08.2020 which has definitely resulted in arresting the trial, this court is not inclined to release the petitioner on bail at this stage. The prayer for bail is thus refused.

Let the trial be expedited. All endeavours be made to conclude the trial within a period of nine months from the date of commencement of the physical court. Considering that the petitioner claims no criminal antecedent, if the trial remains unconcluded for no reason attributable to the petitioner within the aforesaid period, he may renew his prayer for bail.

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'.