

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.6102 of 2021**

Arising Out of PS. Case No.-541 Year-2018 Thana- JAKKANPUR District- Patna

Sanjay Jha @ Pappu Kumar, Son of Umesh Jha, Resident of Village -  
Sahbajpur Salem, P.S.- Ahiyapur, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Rudal Singh, Adv.

For the Opposite Party/s : Mr.Rajeev Nayan, APP

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

4      19-07-2021                      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 Sections 328, 392, 302, 201, 414 and  
34 of the Indian Penal Code.

The accusation is that Ashok Sah, brother of the  
informant, Shankar Kishore, who used to work in Hyderabad,  
left Hyderabad on 05.11.2018 and on 06.11.2018 Ashok Sah  
talked through mobile at 9.20 p.m. on the mobile of his wife  
saying that he had come at Patna and at present he is boarding in  
bus from Meethapur Bus Stand, but, when he did not reach till  
late night, wife of Ashok Sah called on mobile of her husband,  
but his mobile was found switched off, thereafter, family started  
search of Ashok Sah in between Muzaffapur and Patna and also



went to Jakkanpur and GRP, Police Station, Patna but no trace was made out of Ashok Sah. In that course, it was also detected from the ATM card of Ashok Sah the money has been withdrawn at Meethapur But Stand and purchasing was made from Govardhan Lal Rastogi Jewellery Pvt. Ltd., Biharsharif.

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 namely, Sujeet Kumar he has been made accused in this case. The petitioner is in jail custody since. The petitioner has 05 criminal antecedents which is mentioned in para 3 of the bail petition. The similarly situated co-accused namely, Sujeet Kumar has been granted bail by a co-ordinate Bench of this Court vide order dated 09.07.2020 passed in Cr. Misc. No.4472/2020.

Learned APP for the State opposed the prayer for bail petition and submits that the petitioner belongs to an organized criminal gang. The petitioner and co-accused persons have used the ATM of deceased Ashokh Kumar @ Ashok Shah and while using the ATM the said ATM, the image of the petitioner and other accused persons had been got captured in the CCTV footage. They had purchased gold items and other articles in a



shop. Later on, the petitioner and other co-accused persons got identified by using their photograph captured in the CCTV footage.

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 Jakkanpur P.S. Case No. 541/2018, corresponding to G.R. No.7634/2018 from the Court of learned Additional Sessions Judge-XVI, Patna.

Accordingly, this application is dismissed.

The trial court is directed to complete the trial expeditiously.

**(Anjani Kumar Sharan, J)**

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