

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6947 of 2021

Arising Out of PS. Case No.-121 Year-2020 Thana- AMAUR District- Purnia

MD ISRAIL S/o KALIM Resident of village- Kharaiya, P.S.- Jalalgarh,
Distt.- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajit Ranjan Kumar, Advocate

For the Opposite Party/s : Mr. Mohammad Sufyan, APP

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

(The proceedings of the Court are being conducted through Video Conferencing and the Advocates joined the proceedings through Video Conferencing from their residence.)

4 15-07-2021

Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the offence punishable under Sections 395 and 397 of the Indian Penal Code.

Informant has alleged that on 20.06.2020, while he was sleeping in his house, some unknown persons entered in his courtyard and tied his hand and also threatened him not to raise *hulla* and thereafter, they took away instrument of preparing ornaments, about 30 bhar silver, cash of Rs.40,000/- and four mobile phones and thereafter they fled away.

It has been submitted on behalf of the petitioner that he is innocent and has falsely been implicated in this case.

Petitioner is not named in the FIR and his name has surfaced in this case on the confessional statement made by the co-accused.

However, as per CDR in para 172 of case diary, the tower location of mobile of petitioner is found near place of occurrence and it has also come in the case diary, that looted mobiles were recovered from the house of the petitioner. Petitioner is having six criminal antecedent and it appears that he is a habitual offender.

Considering the facts and circumstances of the case and nature of allegation, I am not inclined to enlarge the petitioner on bail. Hence, the prayer for bail of the petitioner is hereby rejected.

However, petitioner would be at liberty to renew his prayer for bail after framing of charges.

(S. Kumar, J)

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