

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(From The Official Chambers Via Video Conferencing)
CRIMINAL MISCELLANEOUS No.16952 of 2021**

Arising Out of PS. Case No.-212 Year-2020 Thana- NAWADA District- Nawada

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JUMMAN KHAN Son of Late Rajjak Khan Resident of Bisiyait, P.S.-
Sirdalla, District- Nawada.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Niraj Kumar

For the Opposite Party/s : Mr.A.G.

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 20-01-2022 Learned counsel for the petitioner is directed to

remove all the defects pointed out by the Stamp Reporter within

one month.

Heard learned counsel for the petitioner.

The petitioner apprehends his arrest in connection

with Nawada P.S. Case No. 212 of 2020, registered for the

offences punishable under Sections 395/397 of the Indian Penal

Code and 25 (1-b)a, 26 & 27 of Arms Act.

As per allegation, in the night of 04.03.2020 when the

informant was sleeping in his house along with his family

members, at about 1 am at night, 7-8 unknown miscreants

entered into the house equipped with pistol, revolver and other

weapons. They snatched the golden chain and earrings from the



person of daughter-in-law of the informant. They committed *lootpat* after making captive the inmates of the house. The description of the looted articles has been explicitly been mentioned in the FIR. On hue and cry the persons of vicinity became successful in catching hold one miscreant Sonu @ Md. Zafar and others began to flee away.

Learned counsel for the petitioner has submitted that the petitioner is not named in the FIR and his name has figured only in the self inculpatory confessional statement of co-accused Sonu Kumar.

The order dated 26.09.2020 of learned Additional Sessions Judge-VIIIth, Nawada shows that the complicity of the present petitioner was found in paragraph No. 83 of the case diary and co-accused Sonu @ Md. Zafar has stated in his confessional statement that the petitioner was putting the articles of dacoity in a red bag.

The criminal antecedent as per the order of the petitioner has been mentioned in paragraph No. 69 of the case diary which has also been mentioned in paragraph No.3 of the anticipatory bail petition that altogether six cases of similar nature of dacoity (loot) are against the present petitioner. As such, he does not deserve the privileges of anticipatory bail.



Accordingly, the anticipatory bail petition of the petitioner is rejected.

Office shall ensure that all defects are removed by the petitioners within the stipulated time provided in para-1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey , J)

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