

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31954 of 2021

Arising Out of PS. Case No.-431 Year-2020 Thana- DIGHA District- Patna

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BHAGERAN MANJHI @ RAJU KUMAR MANJHI @ RAJ KUMAR
MANJHI Son of Paisath @ Jagdish Manjhi Resident of Mohalla - Railway
Line Mushahari, P.S.- Digha and District - Patna.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar 2, Advocate

For the Opposite Party/s : Mr. Mukesh Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 08-03-2022 Heard Mr. Manish Kumar 2, learned counsel for

the petitioner and Mr. Mukesh Kumar Singh learned
Additional Public Prosecutor appearing for the State.

Petitioner seeks regular bail in connection with
Digha P.S. Case No. 431 of 2020 registered for the offences
punishable under Sections 457 and 380 of the Indian Penal
Code 1860.

The allegation, as per the First Information Report
is that a theft was committed in the house of the informant
and the petitioner along with other accused persons have
been identified in the CCTV footage. It has been alleged
that cash of Rs.1,25,000/- and other articles are said to have
been stolen by the accused persons.



Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case only on the basis of CCTV footage and he has not been put on Test Identification Parade. He further submits that no looted article has been recovered from possession of the petitioner and the petitioner is in custody since 29.1.2021.

On the other hand, Mr. Mukesh Kumar Singh, learned counsel for the State referring to the case diary submits that during course of investigation it has come to light that a sum of Rs.3,20,000/- has been stolen and the petitioner has been identified in the CCTV footage. He further submits that the petitioner is habitual offender and three more cases of similar nature and under the Excise Act are pending against him.

Regards being had to the submission made by the parties and taking into consideration the materials on record, the fact that the petitioner has been identified in the CCTV footage and he happens to be a habitual offender, I am not inclined to grant regular bail to the petitioner.

Accordingly, the present application for bail is rejected.



However, the petitioner may renew his prayer for bail after six months if the trial does not register any substantial progress.

(Anil Kumar Sinha, J)

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