

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25563 of 2022

Arising Out of PS. Case No.-294 Year-2021 Thana- SHASTRINAGAR District- Patna

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Shailesh Kumar @ Shailesh Ram Son of Late Bijendra Ram Resident of
village - Nisarpura, P.S.- Naubatpur, District – Patna. Petitioner

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr.Rakesh Kumar, Advocate
For the Opposite Party/s : Mr.Sucheta Yadav, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 11-08-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect(s), if any, as pointed out by the office,
be removed within four weeks.

The petitioner is in custody in connection with
Shashtri Nagar P.S. Case No. 294 of 2021 under section 394 of the
Indian Penal Code and Section 27 of the Arms Act.

As per the allegation in the FIR, the informant after
taking morning walk was about to enter her home when the
accused persons after some conversation, tried to snatch her chain
on the pistol point. As she raised ‘hulla’, her brother-in-law came
out of the house, whereafter, it is alleged that the accused persons
opened fire causing injury on his chest as a result whereof, he fell
down. Thereafter, the allegation is that the accused persons
snatched the gold chain and drove away on the motorcycle towards
Bailey Road.



As per the reasoned order of the learned Additional Sessions Judge-14 cum Special Judge, CBI-II, Patna it has been recorded that perusal of different paragraphs of the case diary shows that the TIP of the accused persons also that of the recovered articles were done and the petitioner/co-accused as also broken looted gold chain was/were identified by the informant. It has further been incorporated in the order that the accused persons were arrested in connection with Shashtri Nagar P.S. Case No. 133 of 2021 and on the basis of CCTV footage as also on the basis of their photographs, the same was found to be identical. Further the vehicle that was used in the crime was also recovered from the possession of the accused persons.

Considering the fact that there is active participation of the petitioner herein in the alleged crime in which in the process of snatching gold chain from the neck of the informant they ended up opening fire and shot at on the chest of her brother-in-law. Due to the aforesaid reason, this Court for the present is not inclined to grant him the privilege of bail which is accordingly rejected.

(Rajiv Roy, J)

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