

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36962 of 2021

Arising Out of PS. Case No.-21 Year-2021 Thana- BIHPUR District- Bhagalpur

Nandu Kumar @ Nandu Sah S/o- Ashok Sah R/o Village- Aualiyabad
Jhandapur, P.S.- Jhandapur, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vishwajeet Kumar Mishra
For the Opposite Party/s : Mr.Lalan Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 25-01-2022 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Bihpur P.S. Case No. 21 of 2021, registered for the offence under Section 395 and 397 of the Indian Penal Code.

As per the F.I.R., on 17.01.2021 at about 2:30 AM, five unknown persons entered in the house of informant, assaulted with iron rod and thereafter, looted cash of Rupees Twenty lacs and jewellery of informant's wife.

It is submitted on behalf of petitioner that name of the petitioner has transpired during course of investigation. It is further submitted that witness namely Md. Afzal, in his statement recorded under Section 164 Cr.P.C., has not stated the name of this petitioner. No looted article has been recovered



from the possession of the petitioner and till date, petitioner has not been put on T.I.P. Petitioner is in custody since 21.01.2021.

However, learned A.P.P. for the State opposed the bail petition and submitted that on the disclosure made by this petitioner, looted material have been recovered from the possession of co-accused persons.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner and same is, accordingly, rejected *at this stage*.

(Prabhat Kumar Singh, J)

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