

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37996 of 2021

Arising Out of PS. Case No.-534 Year-2019 Thana- SHASTRINAGAR District- Patna

1. PAPPU KUMAR S/o Manoj Kumar R/o village- Khapuri, P.S.- Dulhin Bazar, District- Patna
2. AJIT KUMAR S/O MUNESH SHARMA R/o village- Khapuri, P.S.- Dulhin Bazar, District- Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arbind Kumar Pandey, Adv.

For the Opposite Party/s : Dr. Ajeet Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 21-02-2022 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners have preferred this application for grant of regular bail in a case registered under Sections 364A and 120B of the Indian Penal Code.

As per the prosecution case, the accused persons on a motorcycle on the point of pistol stopped the informant, assaulted him and took away the bag containing Rs. 20,000/- in cash besides other documents. Thereafter, it is stated that they deposited a sum of Rs. 14,500/- in the hospital where the wife of the informant was admitted, got her discharged and holding the wife of the informant under threat asked the informant to get



jewellery etc. from home. It is stated that from amongst the accused persons, from their conversation, the informant could make out the name of the seven named accused persons including the two petitioners herein.

It is submitted by learned counsel for the petitioners that the petitioners have been falsely implicated in the case. The false case is as a result of dispute between the informant and one Mukesh Sahay, one of the named accused herein in which the two petitioners have been falsely implicated. No material has transpired in course of investigation against the petitioners to connect him with the alleged crime and the so called story as narrated in the first information report is unbelievable. Petitioners are in custody since 16.09.2020 and investigation in the case has concluded.

The application for bail is opposed by the learned APP for the State, who submits that besides the petitioners being named in the First Information Report the allegation has been supported by the victim in her statement under Section 164 Cr.P.C. Further Sessions Trial No. 41 of 2021 is pending in the Court learned Additional District and Sessions Judge-13, Patna

Having heard learned counsel for the parties and taking into consideration the facts of the case together with the



material that has transpired in course of investigation, the Court is not inclined to enlarge the petitioners on bail and the application is rejected.

Learned trial Court is directed to expedite the trial.

(Partha Sarthy, J)

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