

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45175 of 2021

Arising Out of PS. Case No.-177 Year-2021 Thana- EKMA District- Saran

SUNJAN KUMAR YADAV @ SANJAY KUMAR YADAV @ SUJAN KUMAR Son of Satyendra Ray Resident of Village- Kailachak, P.S.- Bidupur, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Harish Kumar

For the Opposite Party/s : Mr.Md. Iftekhar Mahmood

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 22-01-2022 Heard learned counsel for the petitioner and the State.

The matter has been taken up through video conferencing.

Petitioner seeks regular bail in a case registered for the offence punishable under Section 395 of the Indian Penal Code.

As per the prosecution case, 8-9 miscreants, on the point of pistol, looted cash of Rs. 17,56,299/- from the informant and fled away.

Learned counsel appearing for the petitioner submits that petitioner is not named in the FIR. The name of petitioner surfaced in this case during the course of investigation in the confessional statement of co-accused. No incriminating article has been recovered from the possession of the petitioner and till



date the petitioner has not been put on Test Identification Parade. It is submitted that in the impugned order it is an error of record that two mobiles have been recovered from the possession of this petitioner rather one mobile has been recovered from his. Similarly situated accused Krishna Kumar Singh has already been granted bail by this court vide order dated 13.12.2021 passed in Cr. Misc. No. 38785/2021. Petitioner claims clean antecedent and is in custody since 25.05.2021 and investigation in this case is complete.

Learned counsel appearing for the State opposes the prayer for bail and submits that looted cash of Rs. 40,000/- has been recovered from the possession of this petitioner and case of co-accused, Krishna Kumar Singh, stands on different footing as that of petitioner because no looted money has been recovered from his possession.

Considering the nature of accusation and gravity of the offence, I am not inclined to enlarge the petitioner on bail. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

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