

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35976 of 2022

Arising Out of PS. Case No.-368 Year-2021 Thana- RAJAON District- Banka

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SOURABH KUMAR Son of Pankaj Mandal R/o Village - Birnoudha, P.S.-
Goradih, District – Bhagalpur Petitioner/s

Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anupa Nand Jha, Advocate

For the Opposite Party/s : Mr.Bharat Lal, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 20-09-2022 Heard learned counsel for the petitioner and learned
counsel for the State.

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

The petitioner is in judicial custody in connection
with Rajoun, P.S. Case No. 368 of 2021 for the offences under
Sections 419, 420 and 394 of the Indian Penal Code.

As per the prosecution story, one Bharat Pd. Singh
had taken Rs. 6,40,000/- with an assurance to provide
Government job. As the informant failed to secure any job, he
was demanding money and it is further alleged that when he
was returning home on 29.09.2021, a group of accused persons
after beating him snatched his motorcycle and other valuable
documents and then after tying his hands and legs thrown him
from the bridge at a pool of water anyhow, he survived himself
and lodged this FIR.

Learned counsel for the petitioner submits that the



FIR is against unknown and so far as the recovery of mobile of the informant is concerned, he was driver of Nitesh Kumar and as in lieu of salary, he was provided the mobile. His last submission is that Nitesh Kumar has been granted the privilege of bail vide order dated 22.08.2022 passed in Cr. Misc. No. 29568 of 2022 (as the same has been brought on record by filing supplementary affidavit).

Learned APP for the State, on the other hand, submits that the complicity of the petitioner has fully been explained in the order of the learned Session Judge inasmuch as the informant has identified him in the T.I. Parade coupled with the fact that recovery of mobile from his possession and although there may not be any evidentiary value, he has also confessed his guilt before the police.

Considering the aforesaid facts of recovery of mobile as also that the petitioner have been identified in the T.I.Parade, this Court for the present is not inclined to grant him privilege of bail which is accordingly rejected.

(Rajiv Roy, J)

Jagdish/Neha-

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