

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35900 of 2022

Arising Out of PS. Case No.-338 Year-2021 Thana- ARWAL District- Jehanabad

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RANJEET KUMAR MEHATA SON OF VIJAY MEHATA @ VIJAY
KUMAR MEHATA R/O VILLAGE- SARSOTA @ KHARSAUTA @
JARSOTA, P.S.- MANJHIWION, DISTRICT- GADHAWA (JHARKHAND)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arvind Prasad Singh, Advocate

For the Opposite Party/s : Mr.Narendra Kumar Singh,APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 19-09-2022 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
Arwal P.S. Case No. 338 of 2021 for the offences under Section 394
of the Indian Penal Code.

As per the prosecution story, the informant alleged that
when after closing his shop, they were returning with sales proceed
of Rs. 1 lakh and the mobile in a bag, he was intercepted by the
accused persons and as he chose not to handover the bag, he was also
hit on the head as near his eyes and thereafter, it is alleged that they
took away the bag.

Learned counsel for the petitioner submits that he is in



custody since 29.01.2022 and has been implicated in this case only because he has criminal antecedent which he has mentioned in paragraph-3 of the bail application being Mehandia P.S. Case No. 116 of 2021, Obara P.S. Case No. 324 of 2021 and Obara P.S. Case No. 256 of 2021, all of which are of similar nature inasmuch as Section 392 of the Indian Penal Code is common.

Learned APP for the State, on the other hand, submits that a bare perusal of observation made by the learned Session Judge would show that the petitioner is also in accused in Daudnagar P.S. Case No. 632 of 2021 under Section 395/120(B) of the Indian Penal Code, a fact not mentioned in the bail application.

Taking into account the fact that the statement made in paragraph-3 of the bail application does not match with the observation made by the learned Sessions Judge as also the fact that the petitioner has criminal intent inasmuch as he is alleged to be committing crime of the same nature again and again and in this particular case, allegation against him is of snatching bag containing Rs. One lakh, this Court is not inclined to grant him privilege of bail which is accordingly rejected.

(Rajiv Roy, J)

Jagdish/Neha-

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