

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47170 of 2021

Arising Out of PS. Case No.-320 Year-2020 Thana- DARBHANGA District- Darbhanga

ROHAN SHAH @ ROHAAN SHAH S/o JAWAID ALAM @ MD. JAVED ALAM @ MD. JAWED ALAM R/o VILLAGE-MAIN BAZAR SONARPATTI, P.S-DALSINGHSARAI, DISTRICT-SAMASTIPUR. AT PRESENT R/o VILLAGE-SHAHBAGPUR, MAHNAIYA, P.S-DALSINGHSARAI, DISTRICT-SAMASTIPUR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yogesh Chandra Verma, Sr. Adv
Mr. Dilip Kumar Roy, Adv.
For the Opposite Party/s : Mr. Rana Randhir Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 05-04-2022 Heard Mr. Yogesh Chandra Verma, learned senior counsel for the petitioner and Mr. Rana Randhir Singh, learned Additional Public Prosecutor for the State.

Petitioner seeks regular bail in connection with Town PS Case No. 320/2020 registered for the offence punishable under Section 395 and 397 of the IPC.

The prosecution story in a nutshell is that in the morning of 09.12.2020 at about 10.35 AM, the informant opened his jewelry shop, in the meantime, five miscreants entered into the shop and on the gun point looted away jewelry, cash etc., of Rs. 5.5 Crores.

Learned senior counsel for the petitioner submits that the petitioner has falsely been implicated in this case due to local politics. The petitioner has been made an accused on the basis of confessional statement of a co-accused, Vikash Paswan.



Learned counsel next submits that the petitioner having no criminal antecedent is in custody since 11.02.2021 and the charge-sheet has been submitted in the matter.

On the other hand, learned counsel appearing for the State, referring to the case diary, submits that on the basis of confessional statement of the co-accused, Vikash Paswan, 1287 Grams of gold ornaments have been recovered from the possession of the petitioner and the petitioner has also confessed his guilt. As such, he does not deserve privilege of bail at this stage.

Regards being had to the submissions made by the parties and taking into consideration the fact that recovery of 1287 Grams of gold ornaments have been made on the basis of confessional statement of the co-accused, I am not inclined to grant regular bail to the petitioner at this stage. The same is, hereby, rejected.

Petitioner, if so advised, may renew his prayer for bail after six months from today, if the trial does not make any substantial progress.

(Anil Kumar Sinha, J)

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