

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48027 of 2021

Arising Out of PS. Case No.-33 Year-2021 Thana- SUPAUL District- Supaul

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GOPAL PRASAD YADAV @ GOPAL YADAV S/O LATE
SATYANARAYAN YADAV R/o village- Nemua, P.S.- Ghoghardiha, District-
Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Jitendra Kumar Bharti

For the Opposite Party/s : Mr. B.N. Pandey

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 22-03-2022 Heard Mr. Jitendra Kumar Bharti, learned counsel

for the petitioner and Mr. B.N. Pandey, learned APP for the

State.

Petitioner seeks regular bail in connection with
Supaul PS Case No. 33 of 2021 registered for the offence under
Section 395 of the IPC and Section 3 / 4 of the Explosive
Substances Act.

The allegation as per the first information report is
that 5-6 unknown criminals entered into the house of the
informant and committed dacoity on gun point and looted a
sum of Rs. 100000/- in cash, 200 grams of gold ornaments , 5
Kg silver ornaments etc.

Learned counsel for the petitioner submits that



petitioner is not named in the FIR and his name has transpired on the basis confessional statement made by the co-accused / Badal Paswan.

On the other hand, learned counsel for the State submits that looted articles have been recovered from the house of the petitioner as well as the petitioner has been identified in Test Identification Parade besides self inculpatory confessional statement of the petitioner showing his involvement in dacoity, as such, he does not deserve the privilege of bail.

Regard being had to the submissions made by the parties, taking into consideration the fact that looted articles have been recovered from the house of the petitioner and he has been identified in Test Identification Parade, as such, I am not inclined to grant regular bail to the petitioner.

Accordingly, the prayer for grant of bail is rejected.

(Anil Kumar Sinha, J)

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