

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49059 of 2021**

Arising Out of PS. Case No.-145 Year-2021 Thana- TAJPUR District- Samastipur

NITISH KUMAR Son of Mantu Rai Resident of Village- Kursaha
Dharampur, P.S.- Mohiuddin Nagar, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raja Ram Mishra

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 24-01-2022 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 394, 395, 397, 398 of the Indian Penal Code.

As per the prosecution case, three unknown miscreants riding on a motor cycle, fired on the informant causing injury and snatched gold ornaments, silver, cash and mobile phone and fled away.

Learned counsel appearing for the petitioner submits that petitioner is not named in the FIR. The name of petitioner has come in this case during the course of investigation in the confessional statement of co-accused. No looted article has been



recovered from the possession of the petitioner. Petitioner is in custody since 22.04.2021 and investigation in this case is complete.

Learned counsel appearing for the State opposes the prayer for bail and submits that looted mobile of the informant was recovered from the possession of the petitioner, which has been identified by the brother of the informant.

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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