

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40299 of 2022**

Arising Out of PS. Case No.-43 Year-2022 Thana- LAHERIYASARAI District- Darbhanga

Nainsu Kumar Son Of Robin Yadav R/O Village- Naya Tola, Jurawanganj,
P.S.- Kodha, District- Katihar

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bachan Jee Ojha, Advocate.

For the Opposite Party/s : Mr.Sucheta Yadav, APP.

**CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER**

2 12-10-2022 The learned counsel for the petitioner is directed to re-
move all the defects pointed out by the Stamp Reporter within
one month.

Heard learned counsel for the petitioner and the
learned APP for the State.

Petitioner seeks regular bail in connection with Lahe-
ria Sarai (Benta O.P.) P.S. case no. 43 of 2022 for the offences
punishable under Section, 392 of the Indian Penal Code.

As per prosecution story on the alleged date and time
of occurrence the informant withdrew Rs. 1,15,000/- from the
bank and put the said money in a bag and thereafter started re-
turning to his home and on the way two accused persons riding
on a motorcycle snatched away the informant's bag containing



the said amount, ATM card , cheque book and a bank passbook and in the course of committing the alleged crime the accused persons also threatened the informant.

The main submissions advanced by learned counsel for the petitioner are that the petitioner is a young boy, aged about 22 years and has been languishing in jail for nine months and after his arrest he was not put on Test Identification Parade and against him the investigation has been completed.

Learned APP has opposed the prayer for bail.

Heard both the sides and perused the FIR and seizure list attached to the FIR which goes to show that the instant matter relates to loot and just after the commission of the alleged occurrence of loot the amount of Rs. 1,10,000/- which is stated to be a major part of the looted amount was recovered from the possession of this petitioner and co-accused along with a motor-cylce which was used by the accused while committing the alleged occurrence. Considering the said recovery of the looted money having been made from the possession of the petitioner and co-accused just after the commission of the alleged occurrence of loot, in the opinion of this Court it is not a fit case for grant of bail to the petitioner. Accordingly, his prayer for bail stands rejected.



The Court below is directed to expedite the trial of the
Petitioner and take steps to conclude the same as early as possi-
ble. If the trial of the petitioner is not concluded in the next one
year then the petitioner may renew his bail prayer.

(Shailendra Singh, J)

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