

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43421 of 2022

Arising Out of PS. Case No.-134 Year-2021 Thana- SARE District- Nalanda

Puran Vishavkarma S/o Bhuneshwar Visharkarma R/o village- Samachak,
P.S.- Barbigha, Distt.- Shekhpura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Upendra Kumar, Advocate

For the Opposite Party/s : Mr. Ram Anurag Singh, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 23-11-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the Stamp Reporter within

one month.

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

Petitioner seeks regular bail in connection with Sare P.S. Case
No. 134 of 2021 registered for the offences punishable under
Sections 392, 504, 506, 323/34 of the Indian Penal Code.

As per the prosecution, the informant was looted by this
petitioner and co-accused persons at gun point. Further it is
alleged that they have looted a cash of Rs. 50,000/- kept in the
informant's vehicle and while trying to flee from the alleged
place of occurrence this petitioner was apprehended by the
police and the said amount was recovered.

The main submissions advanced by learned counsel Mr. Upendra Kumar, appearing for the petitioner are that the petitioner has been falsely dragged in this case, petitioner was working as a labourer in the flour mill and there was a dispute between the petitioner and owner of the said flour mill on account of non-payment of the dues amount of the petitioner and during the course of investigation no one came forward to support the allegation of the FIR and the petitioner has been languishing in jail since 04.11.2021 and against him there is criminal antecedent of one case.

Learned APP Mr. Ram Anurag Singh, appearing for the State has opposed the prayer for bail.

Heard both the sides and perused the FIR and the order impugned. The instant matter relates to loot and two co-accused persons riding on a motorcycle firstly overtook the vehicle of the informant and thereafter stopped him at the point of arms and thereafter Rs. 50,000/- was snatched and one of them managed to escape but the petitioner was apprehended at the spot and looted money was recovered from his possession and the order impugned goes to show that the petitioner has criminal antecedent of three cases. Considering the facts that the petitioner was caught hold at the spot while committing the

offence of loot and the alleged looted money was recovered from his possession and he has criminal antecedent, in the opinion of this Court the petitioner does not deserve to the privilege of bail. Accordingly, the prayer for bail of the petitioner stands rejected.

(Shailendra Singh, J.)

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