

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46250 of 2022

Arising Out of PS. Case No.-92 Year-2022 Thana- SASARAM NAGAR District- Rohtas

Sanoj Gond Son of Late Lakshman Gond @ Laxuman Prasad Resident of
Village - Fajilpur, P.s.- Sasaram (M), Distt.- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Siddharth Harsh, Advocate

For the Opposite Party/s : Mr. Harendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 16-12-2022 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 the
learned APP for the State through video conferencing.

Petitioner seeks regular bail in connection with
Sasaram Nagar (Darigaon) P.S. Case No. 92 of 2022 registered
for the offence punishable under Section 392 of the Indian Penal
Code.

Allegedly, three unknown persons took a lift in the
vehicle of the informant and thereafter on the way stopped the
informant's vehicle and assaulted him and looted his vehicle and
a mobile phone.

The main submissions advanced by the learned



counsel Mr. Siddharth Harsh for the petitioner are that the FIR was lodged against unknown persons and the name of this petitioner transpired on the basis of confessional statement of co-accused namely Vivek Kumar and in following with the disclosure statement made by said co-accused Vivek Kumar one mobile phone is stated to have been recovered and the recovery of the alleged looted vehicle has been wrongly shown as being recovered in following with the statement of this petitioner while the details of the said vehicle given by the co-accused Vivek Kumar and the details of the alleged vehicle mentioned in the seizure list is quite different from the details mentioned in the confessional statement of the petitioner which clearly suggests that the petitioner has been falsely dragged in this case. Further submission is that the investigation has been completed against the petitioner and he has been languishing in jail since 22.04.2022.

Learned APP Mr. Harendra Prasad appearing for the State has opposed the bail prayer.

Heard both the sides and perused the FIR and the order of learned Court below. The instant matter relates to a crime of loot committed by the accused persons in respect of informant's Maruti Omni (van) and a mobile phone and during



the course of investigation the looted mobile phone was recovered from the possession of co-accused who disclosed the implicity of this petitioner in the alleged crime and in following with the statement made by this petitioner the alleged looted vehicle was also recovered. The petitioner has criminal antecedent of three cases as mentioned in his petition. Considering all these facts and mainly taking into account the recovery of the looted vehicle in following with the disclosure statement made by this petitioner, in my view he does not deserve to the privilege of bail at this stage. Accordingly, his bail prayer stands rejected.

(Shailendra Singh, J.)

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