

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.49335 of 2022**

Arising Out of PS. Case No.-243 Year-2022 Thana- BASANTPUR District- Siwan

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SHAILESH KUMAR SON OF PRABHANSH PRASAD R/O VILLAGE-  
RESAURA, P.S.- MAHARAJGANJ, DISTRICT- SIWAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr.Raghav Prasad

For the Opposite Party/s : Mr.Ramchandra Sahni

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**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA**  
**ORAL ORDER**

2      23-12-2022                      Heard Mr. Raghav Prasad, learned counsel for the  
petitioner.

Petitioner seeks regular bail in connection with  
Basantpur P.S. Case No. 243 of 2022 instituted under  
Section 392 of the IPC and Section 27 of the Arms Act.

As per the prosecution story the petitioner along  
with other accused persons were committing robbery in the  
C.S.P. Bank of the informant. While fleeing away, the  
petitioner was caught on the spot with the help of villagers  
along with the motorcycle used in the commission of  
crime.



Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case while he was moving around in the area for his personal work. He next submits that *Apache* motorcycle was not the motorcycle upon which the accused persons arrived therein. He further submits that no looted article and / or any incriminating material has been recovered from the possession of the petitioner.

I have heard learned counsel for the parties and have gone through the material on record including the impugned order. From the F.I.R. it appears that there is specific statement of the informant that the accused persons, 04 in number, were committing robbery and at the time of fleeing away after committing robbery the petitioner was caught, who disclosed his name as Shailesh Kumar while other accused persons succeeded in fleeing away along with looted amount of 05 Lakh and fire arms.

In view of the fact that petitioner was apprehended on the spot, I am not inclined to grant regular bail to the petitioner at this stage.

The prayer for bail is rejected.



However, the petitioner may renew his prayer for  
bail after six months if the trial does not show any progress.

**(Anil Kumar Sinha, J)**

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