

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60632 of 2021

Arising Out of PS. Case No.-80 Year-2021 Thana- PUNAURA District- Sitamarhi

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Amit Kumar, S/O Raj Kishor Prasad, R/O Village-86 Brahm Asthaan Ward
No.7, Chakmahila, P.S-Sitamarhi, District-Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Anil Kumar Singh No. 1, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 27-07-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect (s), as pointed out by the office, be
removed within a period of four weeks from the date of
resumption of physical filing and physical removal of defect.

In the present case, the petitioner seeks bail in
connection with Punaura P.S. Case No. 80 of 2021 registered for
the alleged offences under Section 395 of the Indian Penal
Code.

As per prosecution case, unknown criminals looted
Rs. 17 lakh from the informant. The name of the petitioner
surfaced as one of the accused persons during investigation.

The learned counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in this



case. The petitioner is not named in the FIR and has not been arrested from the spot. The petitioner has been named in this case only on the basis of confessional statement of the co-accused persons and he has never been put to Test Identification Parade. Though, some money has been recovered and seized from the petitioner, but the same has not been put to Test Identification. No recovery has been made from the conscious possession of this petitioner and the police personnel forcibly took his signature on the blank paper and used it for preparation of seizure list showing recovery of cash amount of Rs. 1,86,000/-. Charge-sheet has been submitted and the petitioner is in custody since 09.07.2021.

Learned APP opposes the prayer for bail submitting that though the petitioner has been named by co-accused in his confessional statement, but there has been recovery of looted money from this petitioner, which was the share of this petitioner in this loot.

Perused the record.

Considering the recovery of looted money of Rs. 1,86,000/- from the house of this petitioner, I am not inclined to grant bail to the petitioner. Hence, the prayer for bail is rejected.

However, the trial court is directed to expedite the



trial and conclude the same preferably within a period of one
year.

(Arun Kumar Jha, J)

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