

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.64834 of 2021**

Arising Out of PS. Case No.-273 Year-2021 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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OM PRAKASH @ UPENDRA S/o Jagarnath Singh R/o Village- Sahdullapur,
P.S.- Sakra, Dist- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dilip Kumar Roy, Adv.

For the Opposite Party/s : Mr.Ram Sevak Choudhary, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 06-05-2022 Learned counsel for the petitioner undertakes to remove

all the defects as pointed out by office within two weeks after start of

normal functioning of the Court.

Heard learned counsel for the petitioner and Mr. Ram
Sevak Choudhary, learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in
connection with Samastipur (Mufassil) P.S. Case No.273 of 2021
registered for the offences punishable under Section 414 of the
Indian Penal Code and Section 25(1-B)a, 26 of the Arms Act. He is
in custody since 19.06.2021. The petitioner has got five criminal
antecedents as stated in paragraph '3' of the petition.

Learned counsel for the petitioner submits that, as per the
prosecution story, the petitioner was found involved in looting away
the money from the two banks and when he was arrested by the
police the looted money, one loaded pistol with seven live cartridges



and one unloaded spare cartridge have been recovered from the possession of the petitioner.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case due to local village politics. Learned counsel submits that nothing incriminating has been recovered from the possession of the petitioner as alleged in the FIR and he is in custody in connection with this case since 19.06.2021.

Learned APP for the State is present and has opposed the prayer for regular bail of the petitioner.

Considering the facts and circumstances of the case and the allegation of recovery of looted money, one loaded country made pistol with seven live cartridges and one unloaded spare cartridge and that the recoveries have been made on the basis of the confessional statement of the co-accused, in the nature of the materials present, this Court is not inclined to release the petitioner on bail. Prayer for bail is, thus, refused.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

