

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66061 of 2021

Arising Out of PS. Case No.-100 Year-2021 Thana- GANGABRIDGE District- Vaishali

Sudhir Kumar, Son of Binod Sah @ Binod Saw, R/o Village- Patringa, P.S.-
Sigoree, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhramveer, Adv.

For the Opposite Party/s : Mr.Akhileshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 12-05-2022 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.
Akhileshwar Dayal, learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in
connection with Ganga Bridge P.S. Case No.100 of 2021
registered for the offences punishable under Section 392 of the
Indian Penal Code. He is in custody since 08.06.2021. The
petitioner has got no criminal antecedent.

Learned counsel for the petitioner submits that the
FIR has been lodged on the basis of the fardbeyan of the driver
of the vehicle who has stated that the vehicle in question was
hired by a person who had called from mobile number given in



the FIR. It is alleged that when the driver and the said person who was on the pickup stopped near toll and were taking tea two other persons came there, they took the driver here and there and at about 8.00 pm they tied the hands of the driver, snatched his mobile and money and looted away the pickup vehicle after forcing the driver to step down from the vehicle.

Learned counsel for the petitioner submits that the name of the petitioner has transpired in the confessional statement of the co-accused Chandra Kishor Sharma but said Chandra Kishor Sharma has been granted bail by a learned coordinate Bench of this Court in Cr.Misc.No.53879 of 2021 after noticing that the chargesheet has already been submitted in the matter and the said petitioner had no criminal antecedent.

Learned counsel submits that the case of the petitioner stands on equal footing at least with Chandra Kishor Sharma, hence, he deserves privilege of bail.

On the other hand, learned APP for the State submits that the case of the petitioner does not stand on similar footing with Chandra Kishor Sharma as it appears from the records. From the impugned order, it has been shown that the informant has, in course of Test Identification Parade, identified this petitioner.



Having regard to the materials available on the record, the gravity of the offence in which a chargesheet has been filed against the petitioner under Section 395 I.P.C. and the severity of punishment keeping in view the fact that the petitioner has been identified by the informant in Test Identification Parade, this Court is not inclined to release the petitioner on bail at this stage. Prayer for bail is, thus, refused.

Let the trial be expedited.

The learned trial court is directed to keep the records of this case on shorter dates and all endeavours be made to conclude the trial within a period of nine months from the date of communication of this order. If the trial is not concluded within the said period, the petitioner may renew his prayer for bail.

(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'.

