

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.535 of 2022

Arising Out of PS. Case No.-188 Year-2021 Thana- AAJAM NAGAR District- Katihar

Mukesh Roy Son of Manoj Roy Resident of Village - Porala, P.s.- Azamnagar,
Distt.- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh, Adv.

For the Opposite Party/s : Mr. Sucheta Yadav, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 20-12-2022 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Azamnagar P.S. Case No. 188 of 2021 lodged under Sections
394, 411 of the I.P.C.

As per the prosecution case, the F.I.R. has been filed
against named accused persons i.e. petitioner. The allegation of
robbery is there in the F.I.R. in which some jewellery and other
articles were alleged to be robbed from the house of the
informant.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. Learned
counsel submits that from the seizure list it transpires that the

said recovery was made at a place which is situated near the house of the petitioner. Learned counsel further submits that petitioner is in custody since 11.08.2021. There is one criminal case pending against the petitioner in which he is on bail. Learned counsel further submits that the content of F.I.R. mismatch with the seizure list. He also submits that the T.I.P. of the articles has not been made.

Learned counsel for the State opposes the prayer for bail and submits that looted articles has been recovered from the petitioner's vicinity and he has been caught red-handed by the informant himself. Learned counsel submits that charge has already been framed.

In the present facts and circumstances of this case and the submissions made above, I am not inclined to grant bail to the petitioner. Therefore, the bail application of the petitioner is hereby rejected but liberty is hereby granted to the petitioner that he may renew his prayer for bail 4 months after framing of charge. If trial shall not be concluded within 4 months, the petitioner shall be at liberty to move for bail afresh.

With this observation, the bail application stands rejected.

(Dr. Anshuman, J.)

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