

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.777 of 2022

Arising Out of PS. Case No.-302 Year-2021 Thana- DUMRA District- Sitamarhi

BIPIN KUMAR Son of Chandeshwar Sah Resident of Village - Rasalpur,
P.S.- Dumra, Distt.- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Neeraj Kumar @ Sanidh, Advocate

For the Opposite Party/s : Mr. Raj Kishore Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

5 26-07-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Dumra
P.S. Case No. 302 of 2021 registered for the offence under
Section 392 of the Indian Penal Code.

The accused/petitioner is not named in the F.I.R. and
is in custody since 16.08.2021.

The allegation against the petitioner is to commit
robbery along with other co-accused persons and while
committing so taken away cash of Rs. 90,000/- from informant
of this case, who was employee of Midland Micro Finance
Company Ltd.



Learned counsel appearing on behalf of the petitioner submitted that petitioner is not named in FIR and his name surfaced on the basis self-confession. It is submitted that there is no recovery of alleged cash which has been looted from informant and there is also no details of currency which alleged to be looted by the informant in FIR. It has been submitted that petitioner involved in 2 more criminal cases in which, he is on bail. While concluding the argument, it has been submitted that investigation has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, while opposing the prayer of bail, fairly conceded the fact that though petitioner is not named in FIR but duly identified by the informant while Test Identification Parade (TIP), as mentioned in Para 48 of the Case Diary (C.D). It is also pointed out that the petitioner involved in two (2) criminal cases.

Considering the facts and circumstances as mentioned above, as the petitioner has been duly identified in Test Identification Parade (TIP) by the informant, this Court is not inclined to grant privilege of bail to the petitioner, at present.

Accordingly, the prayer for bail of the petitioner is



rejected.

The trial court is directed to conclude the trial, within a period of 06 (six) months from the date of receipt of this order, by taking case on board, on day-to-day basis.

The Superintendent of Police, Sitamarhi, is directed to produce the charge-sheeted witnesses, as and when directed by the trial court, to conclude the trial within stipulated period, as above.

(Chandra Shekhar Jha, J)

R.S.Sen/-

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