

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4094 of 2023

Arising Out of PS. Case No.-575 Year-2022 Thana- DARIYAPUR District- Saran

UJJWAL KUMAR S/O RAMADHAR SAH Resident of village- Chapra
Nagar, P.S.- Chapra Nagar, District- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nalin Kumar
For the Opposite Party/s : Mr.Binod Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 08-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in connection with
Dariyapur P.S. Case No. 575 of 2022 instituted for the offence
under Section 394 of the Indian Penal Code.

As per allegation in the FIR, on 19.10.2022 while the
informant along with his family members was going to Chapra
by a tempo, meanwhile, four miscreants came and intercepted
them. During this incident, accused miscreants robbed total 41
kg silver ornaments, worth of Rs. 13 lakh which was kept in
trolley bag. It is further alleged that the miscreants also
assaulting the informant and his family members by means of
knife.

Learned counsel for the petitioner submits that the



petitioner is innocent and committed no offence. The petitioner is not named in FIR rather he has falsely been implicated in this case only on the basis of confessional statement of co-accused namely, Amarnath Mahto, which is inadmissible in the eye of law. It is further submitted that neither the petitioner was put on TI Parade nor any seized material has been identified properly. Moreover, the petitioner is languishing in judicial custody since 22.10.2022.

Learned APP appearing for the state has opposed the prayer of regular bail and submitted that the petitioner confessed his guilt in his self confessional statement also and at the instance of him, huge quantity of silver ornaments i.e. 5.7 kg recovered from house of the petitioner, which was alleged to be looted article. A tempo bearing registration no. BR04PA-4832 was also recovered from house of the petitioner which was alleged to be used in the offence and the petitioner did not claim himself regarding owner of the seized vehicle. During investigation, the witnesses have also supported the prosecution version.

Having heard the learned counsel for the parties and considering the nature of allegation, this court is not inclined to enlarge the petitioner on bail and, as such, his prayer for bail



stands rejected.

The trial Court is directed to expedite the trial and
conclude the same as soon as possible.

(Sunil Kumar Panwar, J)

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