

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27618 of 2023

Arising Out of PS. Case No.-564 Year-2022 Thana- KANTI District- Muzaffarpur

Md. Irshad @ Amit @ Chhathu Son Of Md. Nasir Resident Of Village -
Mirzapur, P.S. - Kanti, Distt. - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Adv.

For the Opposite Party/s : Mr. Shyam Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 06-06-2023 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
Kanti P.S. Case No. 564 of 2022 registered on 18.08.2022
lodged under Sections 392, 395, 412 of the I.P.C.

As per the prosecution case, the F.I.R. has been
lodged against 3-4 unknown accused persons, against whom
allegation of snatching is there. A pick-up van loaded with Aisan
Paint was alleged to be looted by the said accused persons.

Learned counsel for the petitioner submits that name
of the petitioner has come on the confessional statement of the
co-accused persons. Counsel for the petitioner submits that case

was lodged under Sections 392, 395 and 412 of the Indian Penal Code due to the reason that recovery was made after the confessional statement of the co-accused made.

Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. He further submits that petitioner is in custody since 02.09.2022 having five criminal cases pending against him, out of which, he is on bail in three case and in rest two cases, he is persuading for bail. Counsel further submits that two other co-accused persons have been granted bail by the Co-ordinate Bench of this Court vide order dated 24.04.2023 in Cr. Misc. No. 11930 of 2023 and vide order dated 04.05.2023 in Cr. Misc. No. 10411 of 2023.

Learned counsel for the State opposes the prayer for bail and submits that there are five criminal cases pending against the petitioner.

Upon specific query that whether charge has been framed or not, counsel for the petitioner submits that as per his knowledge charge has not 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.

Liberty is hereby granted to the petitioner that he may

renew his prayer for bail, after framing of charge.

Trial Court is directed to release the petitioner on bail afterthat, imposing its own conditions, so that he may not evade his appearance during trial.

With this observation, the bail application stands rejected.

(Dr. Anshuman, J.)

Ashishsingh/-

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