

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52464 of 2023**

Arising Out of PS. Case No.-220 Year-2022 Thana- SITAMARHI District- Sitamarhi

Vijendra Singh @ Brijendra Son Of Gopi @ Gopi Singh Resident Of Village
Dhanupura, Ps Kadu Chowk, District- Badaun (U.P.)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Saghir Ahmad, Advocate
For the Opposite Party/s : Mr.Md. Matloob Rab, APP

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER**

2 19-08-2023 Heard the parties.

The petitioner is in judicial custody in connection with Sitamarhi P.S. Case No. 220 of 2022 for the offence punishable under Sections 461 and 379 of the Indian Penal Code lodged on 01.04.2022 by the informant Vishal Kumar .

As per the prosecution story, The allegation is that the informant after closing the shop went to his house. Next day, he was informed that a theft has been committed in his shop. When he went to there, found the entire ornaments/ cash amounts stolen after breaking the lock of shutter.

Further, it was found that ornaments worth Rs. 22 lakhs and cash of Rs. 50,000/- were taken by the accused



persons. Accordingly, the FIR.

The case of the petitioner is that nothing has been recovered from his conscious possession and is in custody only because the accused persons arrested and made confession implicating him. Further, co-accused, Brijapal Jat has been granted bail by the learned 2nd Additional and Sessions Judge, Sitamarhi, itself.

Learned APP, on the other hand, submits that it is surprising how in the background of allegation that has come against the accused persons, the learned Sessions Judge allowed the bail to one of the co-accused.

He further submits that so far as this case is concerned, the petitioner has criminal antecedent inasmuch as he is involved in seven criminal cases of the same nature. He is from Uttar Pradesh and came with gang to commit robbery/dacoity/theft in the neighbouring State.

He as such, submits that granting him on bail will actually jeopardize the trial.

Considering the facts and records as also the submissions put forward by the learned counsel for the parties, this Court finds force in the submission of the learned APP as also the materials that has come against the petitioner which



reflects from the order of the learned Sessions Judge itself in this case which has rejected the bail application, this Court is not inclined to extend him relief.

The Cr. Misc. No. 52464 of 2023 stands rejected.

(Rajiv Roy, J)

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