

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44926 of 2023

Arising Out of PS. Case No.-42 Year-2022 Thana- BATH District- Bhagalpur

LOVELY SHARMA, Son Of Binod Sharma @ Binod Mistry, R/O Village-
Tilakpur, P.S.- Sultanganj, Dist- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajive Ranjan Singh, Adv.

For the Opposite Party/s : Mr. Nityanand, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 2 27-07-2023 1. Heard learned counsel for the petitioner and
learned APP for the State.
2. Petitioner seeks regular bail in connection with
Bath P.S. Case No. 42 of 2022, dated 15.05.2022 registered for
the offence punishable under Section 392 of the Indian Penal
Code.
3. As per the prosecution, the informant alleged
that three unknown miscreants have looted a cash of Rs. 1,000/-,
his motorcycle and mobile phone.
4. The main submissions advanced by petitioner's
counsel are that though against the petitioner there are criminal
antecedent of eight cases but out of them, five cases were
lodged within two months after the arrest of the petitioner in the



present matter and the petitioner has been dragged in most of the cases of his criminal antecedent on the basis of his confessional statement, in actual petitioner was brutally assaulted by police, on which the Court concerned issued a Show Cause Notice to the police, thereafter the petitioner was falsely implicated in this case. Further submissions are that the petitioner is not named in the FIR and he was not put on test identification parade and he has been languishing in jail since 15.03.2023.

5. Learned APP appearing for the State has opposed the prayer for bail.

6. Heard both the sides and perused the FIR and the order impugned. The instant matter relates to loot committed by the accused persons with the informant whose motorcycle, Rs. 1,000/- and a mobile phone were robbed by the accused persons and the order impugned goes to show that the looted motorcycle was recovered in following with the statement made by this petitioner who has criminal antecedents of eight cases. Considering these facts, in my opinion, it is not a fit case for bail to the petitioner at this stage. Accordingly, petitioner's prayer for bail stands rejected.

7. The petitioner may renew his prayer for bail after



six months, if no significant progress is made in his trial.

(Shailendra Singh, J.)

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