

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44943 of 2023

Arising Out of PS. Case No.-353 Year-2023 Thana- PURNEA SADAR District- Purnia

Dhananjay Kumar, S/O- Ajay Choudhari, R/O Village- Purnea City Laheri
Patti, Ward no-34, P.S.- Sadar, Dist- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amit Kumar Anand, Adv.

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

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 27-07-2023 Heard learned counsel for the petitioner and the

learned APP for the State.

2. Petitioner seeks regular bail in connection with
Sadar P.S. Case No. 353 of 2023 dated 20.04.2023
registered for the offence punishable under Section 392 of
the Indian Penal Code.

3. As per the prosecution, the informant alleged
that four miscreants looted his Scooty, gold and silver
jewellery and cash on point of pistol when he was returning
to his home.

4. The main submissions advanced by learned
counsel for the petitioner are that the petitioner has fair and
clean antecedent and the alleged looted jewellery and



Scooty are stated to have been recovered from the possession of co-accused Dhirendra Sah @ Ghuran Sah and the petitioner is stated to have made confessional statement during the said recovery but the said statement was taken forcibly from him by the police and the same has no evidentiary value and he was not put on Test Identification Parade and he has been languishing in jail since 24.04.2023. Further submission is that petitioner is a young person and alleged offence is triable by the First Class Magistrate.

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

6. Heard both the sides and perused the FIR and order impugned. The instant matter relates to loot of jewellery and Scooty of the informant, though as per the FIR the alleged occurrence was committed by unknown persons but during investigation the petitioner was apprehended and he made disclosure about the position of the looted jewellery and scooty and thereafter in following with his disclosure, the looted jewellery and scooty of the informant were recovered as discussed in the order impugned. Considering the said incriminating evidence



appearing against this petitioner, this Court is not inclined to accept the petitioner's prayer for bail. Accordingly, his bail prayer stands rejected.

7. As the petitioner is stated to be a young person having fair and clean antecedent, he is given a liberty to renew his bail prayer after framing of charge.

(Shailendra Singh, J)

annu/-

U		T	
---	--	---	--

