

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47476 of 2022

Arising Out of PS. Case No.-176 Year-2021 Thana- TRIVENIGANJ District- Supaul

BANDHAN KUMAR @ RANJAN KUMAR @ BANDHAN YADAV @
RANJAN YADAV @ RANJAN Son of Sri Janardan Yadav R/V- Itahara, P.S-
Saur Bajar, Dist- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Diwakar Prasad Singh, Advocate
For the Opposite Party/s : Mr.Satyendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 10-01-2023 Heard the learned counsel for the
petitioner and the learned A.P.P. for the State.

The petitioner seeks regular bail in connection with Triveniganj P.S. Case No. 176 of 2021, for the offence registered under Sections 395 and 397 of the Indian Penal Code and Section 27 of the Arms Act.

The case of the prosecution, in brief, according to the informant, is that on 10.06.2021 at around 9:30 P.M. while the informant along with one another person was returning to his home from village-Rampur on a motorcycle, three unknown persons had intercepted him and on pistol point had snatched his motorcycle, his mobile phone and



a purse containing Rs. 10,000/-, whereafter they had fired gun shots resulting in the informant sustaining injury on his right thigh as also his companion had also received two fire arm injuries on his both thighs, however, the miscreants had fled away, thereafter.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is languishing in custody since 18.07.2021. The learned counsel for the petitioner has further submitted that the petitioner has been remanded in the present case on 09.09.2021. It is also submitted that only after the petitioner was made an accused in one another case bearing Triveniganj P.S. Case No. 206 of 2021, he has been made an accused in all other cases. Lastly, it is submitted that no Test Identification Parade has been held so as to connect the petitioner with the alleged occurrence.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.



Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also considering the materials available in the case diary, this Court finds that there are ample materials on record to connect the petitioner with the alleged crime, apart from the fact that the petitioner is an accused in 22 other criminal cases which itself disentitles the petitioner to the privilege of bail.

In this connection, reference be had to the judgment rendered by the Hon'ble Apex Court in the case of **Ash Mohammad Vs. Shiv Raj Singh @ Lalla Babu & Anr.** reported in **(2012) 9 SCC 446.**

Under the aforesaid circumstances, I am not inclined to grant bail to the petitioner, hence the present petition stands dismissed.

(Mohit Kumar Shah, J)

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