

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52898 of 2022

Arising Out of PS. Case No.-214 Year-2022 Thana- SANGRAMPUR District- East
Champanan

ANAS KHAN Son of Zamirullah Khan Resident of Village - Dariyapur, P.S. -
Sangramput, District - East Champanan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agrawal, Sr. Advocate
	:	Mr. Karandeep Kumar, Advocate
	:	Mr. Kumar Rajdeep, Advocate
For the Opposite Party/s	:	Mr. Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

6 23-03-2023 Heard learned senior counsel for the petitioner and
the learned APP for the State.

Petitioner seeks regular bail in connection with
Sangrampur P.S. Case No.214 of 2022 registered for the offence
punishable under Section 392 of the Indian Penal Code.

As per the prosecution, the informant and his nephew
were looted by three unknown miscreants at the alleged place.
Further it is alleged that a cash of Rs.10,000/- two mobiles and
cards etc. were looted.

The main submissions advanced by the learned senior
counsel for the petitioner are that the FIR was registered against
unknown persons, during investigation the police claimed to



have got the knowledge of the accused persons through CCTV camera installed nearby the place of occurrence after that the footage of said camera was shown to some spy of the police who claimed to have identified this petitioner shown in the footage but the petitioner was not put on Test Identification Parade after the petitioner was arrested and his statement was recorded by the police though in following with his statement recovery of some incriminating materials concerned to the alleged loot was made but the part of his statement in which the petitioner is stated to have confessed the crime is not admissible in evidence against him. Further submission is that the petitioner has been languishing in jail since 26.06.2022 and still the charges have not been framed upon him and against him there is criminal antecedent of one case.

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

Heard both the sides and perused the FIR and the Case Diary. Considering the recovery of looted mobile phones and PAN card of the victim made by police during investigation in following with the disclosure made by this petitioner, in the opinion of this Court the petitioner does not deserve to the privilege of bail. Accordingly, his bail prayer stands rejected.



Petitioner may renew his bail prayer after framing
of charge.

(Shailendra Singh, J)

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