

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 56915 of 2023**

Arising Out of PS. Case No.-423 Year-2022 Thana- ROSERA District- Samastipur

NITESH KUMAR SINGH @ LALU SINGH S/O LATE MANOJ SINGH
R/O VILLAGE- GOPALPUR, P.S- VIDYAPATI NAGAR, DISTT.-
SAMASTIPUR.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr Mahendra Pratap, Advocate

For the Opposite Party/s : Mr Akbar Ali, APP

CORAM: HONOURABLE MR JUSTICE RAJIV ROY

ORAL ORDER

2 30-08-2023

Heard the parties.

2 The petitioner is in judicial custody in connection with Rosera PS Case No 423 of 2022 registered for the offence punishable under Sections 411, 412, 414/34 of Indian Penal Code and Sections 25 (1-B) A, 26, 35 of Arms Act but charge sheet has been submitted under Sections 414/34 of Indian Penal Code and Sections 25 (1-B) a, 26, 35 of Arms Act.

3 As per the prosecution story, robbery took place in the Central Bank of India, Airoth Branch. Immediately after the incident, one Raja Kumar was apprehended by the villagers and country made pistol along with one live cartridge and Rs 28,81,165/- have been recovered from his possession. He disclosed the names of other persons which resulted into arrest of Mahesh Kumar, Ankit Kumar and Pintu Kumar. They, in



turn, disclosed the name of the petitioner that it is he who ran away with Rs 15,52,500/-. He was apprehended. Further, on search, Rs 10 lacs and a mobile phone have been recovered from his house and, accordingly, he was arrested.

4 Learned counsel for the petitioner, though tried to defend that the petitioner has been falsely implicated, but he is not in a position to say about the recovery of Rs 10 lacs that was looted from the Bank.

5 Learned APP opposes the prayer for bail. It is submitted that the petitioner has been arrested from his house and Rs 10 lacs has been recovered from him.

6 Considering the rival submissions, this Court is not inclined to extend the petitioner the privilege of bail.

7 Taking into account the fact that petitioner is in custody since 13.12.2022, it would be appropriate that the trial should be expedited and be concluded preferably within a period of one year.

8 With the aforesaid observations, this application is dismissed.

(Rajiv Roy, J)

M.E.H./-

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