

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64406 of 2022

Arising Out of PS. Case No.-555 Year-2021 Thana- WAJIRGANJ District- Gaya

Raushan Singh Son Of Mithlesh Singh R/V- Manichak, P.S.- Islampur,
District- Nalanda

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Chandra, Advocate

For the Opposite Party/s : Mr. Choubey Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 23-02-2023 Heard learned counsel for the petitioner and learned APP
for the State.

Petitioner seeks regular bail in connection with Wajirganj
P.S. Case No. 555 of 2021 registered for the offences punishable
under Sections 395, 397 of the Indian Penal Code.

As per the prosecution, the informant alleged that two
unknown miscreants assaulted and abused him by tying him up
with a piece of cloth and looted the truck loaded with paddy.

The main submissions advanced by learned counsel Mr.
Anil Chandra, appearing for the petitioner are that the petitioner is
not named in the FIR and his name surfaced in the statement of co-
accused Sahweer Paswan and the prosecution is mainly placing
reliance on the said statement in respect of the involvement of the
petitioner in the alleged crime but if we take the said statement to
be true even then the petitioner was simply alleged that co-accused



come at his house where co-accused Rampukar Yadav was residing on rent and petitioner's house was taken on rent by the said co-accused and except this there is no any other allegation against the petitioner and the said statement does not show that the petitioner was involved in the commission of loot and he has been languishing in jail since 20.07.2022 and he was not put on test identification parade after his arrest in the present matter.

Learned APP Mr. Choubey Jawahar, appearing for the State has opposed the prayer for bail and submitted that the looted truck has not been recovered till now and the investigation is still running.

Having considered the facts that the looted truck has not been recovered till now and the investigation is still pending on other points as stated by learned APP and the petitioner has a long criminal history, in the opinion of this Court the petitioner does not deserve to the privilege of bail at this stage. Accordingly, his prayer for bail stands rejected.

The petitioner may renew his prayer for bail after framing of charge.

(Shailendra Singh, J.)

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