

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68469 of 2023

Arising Out of PS. Case No.-981 Year-2022 Thana- MOTIHARI TOWN District- East
Champaran

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Rupesh Kumar Son of Shambhu Rai R/o vill - Pathak tola, Pathkauliya, P.S. -
Turkauliya, Distt. - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Subodh Kumar Barnwal, Adv.
For the Opposite Party/s : Mr. Jagdhar Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 19-10-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Motihari Town P.S. Case No. 981 of 2022 lodged under Sections
395 of the I.P.C.

3. As per the prosecution case, the F.I.R. has been
lodged against 5 unknown accused persons against whom the
allegation of looting Rs.5,79,898/- cash has been made.

4. Learned counsel for the petitioner submits that the
name of the petitioner has figured in this case by virtue of
confessional statement of co-accused. He submits that nothing
has been recovered from the possession of the petitioner and he
was not put on T.I.P.

5. Counsel further submits that the fire arms, cartridges, money and other articles have been recovered from the possession of the co-accused and upon his disclosure, the name of petitioner has come in this case.

6. Counsel further submits that there is one criminal case pending against the petitioner in which he is on bail and he is in custody since 06.03.2023.

7. Learned counsel for the State opposes the prayer for bail and submits that antecedent of the petitioner is not clean and name of the petitioner has come in this case by virtue of confessional statement made by co-accused from whose possession, money, arms and another articles has been recovered.

8. In the present facts and circumstances of this case and the submissions made above, this Court is not inclined to grant bail to the petitioner. Therefore, the bail application of the petitioner is hereby rejected.

9. However, liberty is hereby granted to the petitioner that he may renew his prayer for bail after framing of charge.

(Dr. Anshuman, J.)

Prakashmani/-

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