

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7033 of 2024

Arising Out of PS. Case No.-238 Year-2023 Thana- KALUAHI District- Madhubani

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Ramprit Sahani, S/o Shambhu Sahani, R/o Village- Majrahi Khir Khiriyatol,
P.S. - Kaluahi, District - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Gagan Deo Yadav, Advocate
		Mr. Vinod Kumar, Advocate
For the Opposite Party/s :		Md. Shakir Ahmad, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

4 26-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Kaluahi P.S. Case No. 238 of 2023, registered for the alleged offence under Sections 394 and 412 of the Indian Penal Code.

3. As per prosecution case, the petitioner and other co-accused persons surrounded the informant and started assaulting him and snatched a number of mobile phones, battery, charger, data cable and other electronic items, which was being carried out by the informant on his motorcycle in a carton. The looted articles were also recovered by the police which came at the spot while the petitioner has been assaulting the informant.



4. The learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. No occurrence as alleged has ever taken place. Though there is allegation of robbing the informant against the petitioner and others, but no recovery has been made from this petitioner and recovery of looted article was made not even at the instance of this petitioner. The informant entered into some altercation with co-accused brother of the petitioner and the petitioner reached there to save his brother, the police came and the informant falsely implicated the petitioner for making false allegation. The petitioner is in custody since 19.11.2023 and under the facts and circumstances, no offence under Sections 394 and 412 IPC is made out against the petitioner. The petitioner has criminal antecedent of one case and he is on bail in that case.

5. The learned APP vehemently opposes the submission made on behalf of the petitioner. The learned APP submits that the petitioner was caught red-handed after committing robbery. While committing the robbery, the petitioner had been assaulting the informant and with intervention of the police, this petitioner was caught.

6. Having regard to the nature of allegation against the



petitioner coupled with the fact that he has been arrested from the spot, I am not inclined to enlarge the petitioner on bail.

7. Accordingly, his prayer for grant of bail is rejected.

8. However, the learned trial court is directed to expedite the trial and conclude the same at the earliest.

(Arun Kumar Jha, J)

V.K.Pandey/-

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