

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19078 of 2024

Arising Out of PS. Case No.-390 Year-2023 Thana- GAUTAMBUDHNAGAR District-
Siwan

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Sujeet Kumar Bind son of Ramashish Bind R/Village- Bharauli PS - Ander
Dist- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary, Advocate

For the Opposite Party/s : Mr. Ashok Kumar Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 26-04-2024 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in a case registered for the
offences punishable under Section 396 of the Indian Penal Code and
Section 27 of the Arms Act.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and has been falsely
implicated in the present case. It is further submitted that the FIR was
instituted against unknown and the name of the petitioner transpired
during the course of investigation in the confessional statement of
Rohit Kumar in police custody which does not have any evidentiary
value in the eye of law. It is next submitted that no doubt the
allegation as alleged in the FIR is serious in nature as the informant
alleges that six unknown accused entered the jewellery shop of his
brother and looted the same and during committing loot the brother



of the informant was shot dead but then informant is not an eyewitness to the occurrence.

4. Learned A.P.P. for the State and learned counsel appearing on behalf of the informant vehemently opposed the prayer for regular bail of the petitioner and the learned counsel appearing on behalf of the informant submits that name of the petitioner transpired in the confessional statement of Rohit Kumar but then during the course of investigation even recovery of looted article was recovered from him as would manifest from the seizure list which is annexed with the counter affidavit, a copy of which has been served on the learned counsel appearing on behalf of the petitioner and the same has not been denied by way of reply.

5. Considering the submissions made by the learned counsel appearing on behalf of the informant, the Court is not inclined to enlarge the petitioner on bail in connection with G.B. Nagar P.S. Case No. 390 of 2023 pending in the Court of learned Additional Chief Judicial Magistrate-IV, Siwan/Successor Court.

6. Hence, the prayer for bail is rejected.

(Satyavrat Verma, J)

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