

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43957 of 2024

Arising Out of PS. Case No.-1547 Year-2023 Thana- AHIYAPUR District- Muzaffarpur

Arvind Kumar S/o Rambali Sah R/o village - Jhapahan Udan, P.S. - Ahiyapur,
District - Muzaffarpur Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raju Kumar, Advocate

For the Opposite Party/s : Mr. Braj Kishore Pd.,APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER

3 18-09-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks regular bail in connection with
Ahiyapur P.S. Case No. 1547 of 2023 registered for the offence
punishable under Section 394 of the IPC.

3. As per the prosecution case, the allegation against
the petitioner is that he alongwith other co-accused person
assaulted the informant on the mouth by means of butt of pistol
causing face injury and robbed his motorcycle, gold chain, mobile
phone and cash of Rs. 10,000/- alongwith other valuables.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating articles have been recovered from
the possession of the petitioner. He further submits that the
petitioner is not named in the FIR. He further submits that the
petitioner is in custody since 23.01.2024.



5. However, learned APP for the State vehemently opposed the prayer for regular bail.

6. On perusal of the FIR, case diary and impugned order dated 14.05.2024, it appears that FIR was lodged against unknown person and during course of investigation co-accused Raja Kumar confessed his guilt and according to his confessional statement, petitioner was searched by police and one country made pistol, one live cartridge, one mobile phone of Apple Company, one stolen gold chain and one stolen Glamour Motorcycle bearing Registration No. BR06BP4734 was recovered from the possession of the petitioner. It also appears from para 3 of the petition, petitioner has got three criminal antecedents, so considering the recovery of stolen aforesaid items from the conscious possession of the petitioner and serious allegation levelled against him, I am not inclined to grant bail to the petitioner.

7. Accordingly, the prayer for regular bail of the petitioner is hereby rejected.

(Ramesh Chand Malviya, J)

saaurabhkr/-

U		T	
---	--	---	--

