

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55620 of 2024

Arising Out of PS. Case No.-65 Year-2024 Thana- TANKUPPA District- Gaya

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Dilip Paswan Son Of Nageshwar Paswan R/V- Village- Dumri, P.S.- Fatehpur,
Distt.- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vishwa Ranjan Choudhary, Advocate
For the State : Mr. Parmanand Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 25-09-2024 Heard the parties.

2. The petitioner is in custody in connection with Tankuppa P.S. Case No. 65 of 2024 for the offence punishable under sections 394 of the Indian Penal Code lodged on 10.05.2024 by the informant, Pawan Chaube.

3. As per the prosecution story, the informant alleged that he is a collecting agent and after taking the money was moving on a motorcycle when three persons riding another motorcycle dashed against his motorcycle, assaulted and later escaped along with the bag/motorcycle. Accordingly, the F.I.R.

4. In this case, immediately the police was informed, chased the accused and ultimately found this petitioner sitting on idle motorcycle which was recognized by the informant as his own. The engine and chasis number matched though, other



managed to escape, the petitioner was arrested. These facts have come in paragraph no.9 of the case diary.

5. Learned counsel for the petitioner submits that he was standing near the motorcycle but has been wrongly implicated. He has also remained in custody since 11.05.2024 (paragraph no.16 of the petition).

6. Learned APP opposed the prayer submitting that a perusal of the case diary would show that he was sitting on the motorcycle and firstly tried to escape and only after having been arrested by the police accepted his guilt. It is his further submission that the petitioner has criminal antecedent.

7. Considering the allegation that has come against he petitioner, he was immediately arrested and the motorcycle recovered, for the present this Court is not inclined to extend him the privilege of bail, Accordingly, rejected.

(Rajiv Roy, J)

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