

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62654 of 2023

Arising Out of PS. Case No.-137 Year-1991 Thana- BELCHHI District- Patna

Shailendra Singh, Male, aged about 62 years, Son of Late Jodhan Singh,
Resident of Village Bhawan Chak P.S. Saksohara District -Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Ram Anurag Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

6 22-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Sessions Trial No. 669 of 2023 arising out of Barh (Belchhi)
PS Case No. 137 of 1991 instituted for the offences punishable
under Section 395 of the Indian Penal Code.

3. As per the prosecution case, five accused
persons have snatched the bag from the informant in which Rs.
1,00,000/- (one lakh) was there and also snatched other
documents.

4. Learned counsel for the petitioner submits that
the petitioner is innocent and has committed no offence and has
falsely been implicated in this case. Learned counsel for the
petitioner further submits that petitioner has been implicated in



the present case with concocted and manipulated allegations. No such occurrence as alleged in the manner had ever taken place. Petitioner has not snatched any bag or alleged articles as alleged by the informant in the first information report. He further submits that there has been no recovery of the alleged articles from the possession of the petitioner or from the house of the petitioner and no Test Identification Parade has been conducted. Petitioner is a farmer and does his agriculture work. In the Covid period petitioner had a paralytic attack and he is physically unfit. Charges has already been framed in this case.

5. Learned APP opposes the prayer for bail.

6. From perusal of the case diary, FIR and the impugned order dated 07.07.2023 passed by the learned Assistant Sessions Judge-1st, Barh, Patna, it appears that there is no any direct or indirect evidence against the petitioner. One case has been lodged against the petitioner in the year 1990 and petitioner has no knowledge about this case so he could not appear earlier for a long time and suddenly he was arrested by the police. He is named in the FIR and the allegation is of robbery from the informant Rs. 1,00,000/- (One Lakh) and petitioner is absconding since almost about 20 years. Charges has already been framed against the petitioner.



Petitioner is in custody since 02.03.2023, in this circumstances,
I am not inclined to grant bail to the petitioner.

7. Prayer for regular bail of the petitioner is hereby
rejected.

8. The trial Court is directed to conclude the trial
preferably within a period of three months from the date of
receipt of a copy of this order with the co-operation of the
petitioner. If the trial is not concluded, within the stipulated
time, the petitioner shall be at liberty to renew his prayer for
bail before the trial Court.

(Ramesh Chand Malviya, J)

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