

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66255 of 2024

Arising Out of PS. Case No.-605 Year-2023 Thana- MOTIHARI MUFASIL District- East
Champaran

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SUMAN KUMAR @ VICKY KUMAR @ VICKY YADAV Son of Rajesh
Yadav @ Rajesh Kumar @ Rajesh Prasad Yadav Resident of Village -
Katgenwa, P.S.- Mahuawa, District - East Champaran.

... .. Petitioner.

Versus

The State of Bihar.

... .. Opposite Party.

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Appearance :

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

For the Opposite Party/s : Mr. Mohammad Sufyan, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 18-10-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in a case registered for
the offence punishable under Section 392 of the Indian Penal
Code.

3. While the informant was regressing to his home
on 17.08.2023, after selling the milk as he is a milk
businessman, and reached at Semra Bridge near Hanuman
Temple, three miscreants came on motorcycle, overtake the
informant, dashed him and on the point of pistol looted his
motorcycle. It is further alleged that on 18.08.2023, the
petitioner called the informant and informed him that the looted
motorcycle is in possession of co-accused, Pawan Kumar and
assured him to return the same after payment of Rs.3000/- but



the same was not returned to him. Hence, the instant F.I.R. was lodged.

4. It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. He is quite innocent and has been falsely implicated in this case due to previous enmity. He was not apprehended on the spot. No incriminating article has been recovered from his conscious physical possession. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. Co-accused, namely, Sunny Yadav and Vikash Kumar and Ranjit Kumar have been enlarged on bail by a co-ordinate bench of this court vide order dated 30.01.2024 and 25.06.2024 passed in Cr. Misc. No. 2348 of 2024 and Cr. Misc. No.37662 of 2024. The petitioner has four criminal antecedents and has been languishing in custody since 29.04.2024.

5. Learned APP for the State vehemently opposing the bail petition submitted that considering the nature of the offence and the criminal antecedents, the petitioner does not deserve for bail.

6. In the facts and circumstances of the case and the criminal antecedents of the petitioner, I am not inclined to enlarge the petitioner on bail. The prayer for bail is hereby



rejected. However, the petitioner would be at liberty to renew his prayer for bail after framing of charge.

(Anjani Kumar Sharan, J)

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