

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68028 of 2023

Arising Out of PS. Case No.-50 Year-2023 Thana- KOTHI District- Gaya

SHARIK KHAN SON OF ZAHID KHAN VILL POKHRAHA, PS- KOTHI,
DIST- GAYA, BIHAR, PIN 824210

... .. Petitioner/s

Versus

THE STATE OF BIHAR PATNA

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anmol Kumar, Adv.

For the Opposite Party/s : Mr.Kumar Ranjit Ranjan, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

4 30-01-2024 Heard learned counsel for the petitioner, learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with
Kothi P.S. Case No. 50 of 2023 registered for the offences
punishable under Section 392 of the Indian Penal Code.

3. As per prosecution case, informant being the
manager of Bharat Financial Inclusion Ltd. was going to Branch
via Imamganj road. Meanwhile, near Ranjita Pahad two
unknown persons came on Pulsar motorcycle who covered their
face with towel (gamcha) and overtook informant's motorcycle
bearing registration no. BR056B 5233 and stopped the said
motorcycle. At the point of pistol, informant was asked for key
of the said motorcycle and took away the collected cash of Rs.
2,39,468/-, bio metric scanner, mobile phones and other articles



of the informant from the dickey towards Imamganj road.

4. Learned counsel for the petitioner submits that petitioner is not named in F.I.R. and his name has been surfaced in this case during the course of investigation. Petitioner is quite innocent and has committed no offence as alleged against him in F.I.R. and he has falsely been implicated in the present case merely on the basis of suspicion. Petitioner is in custody since 05.07.2023 and bears criminal antecedent of four cases. Charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence.

5. The learned A.P.P. for the State vehemently opposed the prayer for bail of the petitioner by submitting that the motorcycle from which the said occurrence has been committed, has been recovered from the house of the petitioner as mentioned in para 90 of the case diary.

6. Considering the facts and circumstances of the case, nature of allegation levelled against the petitioner as well as material available on record, I am not inclined to grant bail to the petitioner. Accordingly, the prayer for bail of the petitioner is hereby rejected.

7. However, the learned trial court is directed to conclude the trial within six months from the date of



receipt/production of copy of this order to the court concerned.

If the trial is not concluded within the stipulated period,
petitioner may renew his prayer for bail.

(Alok Kumar Pandey, J)

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