

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77761 of 2024

Arising Out of PS. Case No.-31 Year-2024 Thana- KARJA District- Muzaffarpur

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Avinash Kumar Son of Tarkeshwar Giri Resident of Village - Nawada, P.S. -
Sahebganj, District - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Sunil Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 29-11-2024 Heard Mr. Raju Kumar, learned counsel for the

Petitioner and Mr. Sunil Kumar Pandey, learned APP for the

State.

2. Petitioner seeks regular bail in connection with
S.Tr. No. 568 of 2024 arising out of Karja P.S. Case No. 31 of
2024 dated 30.01.2024 registered for the offences punishable
under Sections 392 and 395 of the Indian Penal Code and
Section 27 of the Arms Act.

3. As per prosecution story, the informant (Ruma
Kumari) runs a C.S.P. Center of Central Bank of India in
village- Jiyan Khurd, Kanti Road near Amit Gas Agency. On,
30.01.2024, six miscreants on two motorcycles came and
entered into the C.S.P. Center of informant and looted away a
cash of Rs. 2,65,732/-, two mobile phones and laptop on the



point of pistol. The miscreants also committed loot of Rs. 27,000/- from the delivery vehicle of Amit Gas Agency.

4. The main submissions advanced by learned counsel for the petitioner are that the instant matter relates to loot of Rs. 2,65,732/-, two mobile phones and a laptop from a C.S.P. Center and also relates to loot of Rs. 27,000/- from a delivery agent concerned to a Gas Agency, the petitioner has been languishing in jail since 12.03.2024, he was not put on test identification parade after he was taken into custody and he was remanded into present matter from Paroo P.S. Case No. 35 of 2024 in which he is on bail. It is further submitted that the bail prayer of co-accused, Aman Kumar @ Aman Kumar Giri and other co-accused persons have been allowed by this Court vide orders passed in Cr. Misc. No. 49780 of 2024 and Cr. Misc. No. 33023 of 2024 and analogous cases and the trial of this petitioner has started.

5. On the other hand, learned APP for the State submits that there is a serious allegation against this petitioner and after he was taken in remand in the present matter, the recovery of some incriminating materials concerned to the loot, was made of which details has been given in the order impugned.



6. Heard both the sides and perused the FIR and the order impugned. Though the petitioner has been languishing in jail since 12.03.2024 but considering the facts that he has criminal antecedents of three cases out of them two relate to preparation for dacoity and loot and the instant matter also relates to the offence of dacoity and as per the order impugned, during investigation in connection with Paroo P.S. Case No. 35 of 2024 in which the petitioner was apprehended, from his possession, some looted articles concerned to the present matter were recovered of which details has been given in the order impugned, in my opinion, it is not a fit case for bail to the petitioner at this stage, accordingly, his prayer stands rejected.

7. The petitioner may renew his bail prayer after one year if no significant progress is made in his trial.

(Shailendra Singh, J)

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