

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79038 of 2023

Arising Out of PS. Case No.-245 Year-2023 Thana- SIWAN MUFFASIL District- Siwan

Sakib @ Md. Sakib Faiyaz S/O Faiyaz Ahmad @ Faiyaz Alam @ Tamona
Village- Baletha Shekh Mohalla, Ps. Siwan Muffasil (Mahadwa Op), Dist.
Siwan

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar

For the Opposite Party/s : Mr.Dr. Ajeet Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 15-01-2024 Heard learned counsel for the petitioner and
learned APP for the State.

The petitioner has prayed for regular bail in a case
registered for the offence punishable under section 395 of
the Indian Penal Code.

It is a case of robbery. Five miscreants armed with
pistol and katta entered into the jewellery shop of the
informant and on pistol point, they have looted 7 kg silver
ornaments, 150 gm gold and Rs. 2 lakhs and fled away by
threatening.

Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He has
falsely been implicated in this case. The petitioner is not
named in the FIR. His name has been disclosed in this case



only on the basis of confessional statement of co-accused Adil Ansari and Arbaz ali before the police. Petitioner is languishing in judicial custody since 31.07.2023.

Learned APP appearing for the state has vehemently opposed the prayer of regular bail and submitted that the petitioner has got three criminal antecedents and some silver jewellery has been recovered from the conscious possession of the petitioner. During investigation, witnesses of this case have supported the prosecution case and in para 61 of the case diary, the informant has also identified the recovered silver jewellery from the petitioner as a looted jewellery from his shop.

Having heard the learned counsel for the parties and considering the fact and gravity of the nature, this court is not inclined to enlarge the petitioner on bail and, as such, his prayer for bail stands rejected.

The trial Court is directed to expedite the trial and conclude the same as soon as possible.

(Sunil Kumar Panwar, J)

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