

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22616 of 2025

Arising Out of PS. Case No.-719 Year-2023 Thana- KAUWAKOL District- Nawada

Chhotu Kumar Son of Navin Singh @ Guhan Singh Resident of village -
Andauli, P.S.- Chewara, District - Shekhpura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

4 23-07-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Kauwakol P.S. Case No. 719 of 2023, dated 17.12.2023,
registered for the offence punishable under Section 392 of the
Indian Penal Code.

3. As per the prosecution case, the informant was on
his way to meet his family from his village, Kabla, riding a
motorcycle bearing registration no. BR-27 T-5482. At around
5:21 PM, when he reached near Diora turn, 3–4 unknown
persons, who were concealed at the spot, intercepted him by
surrounding him with a rope. Upon stopping, two of the
assailants pointed pistols at the informant and started assaulting



him without any reason. They forcibly snatched the bag from his back, pulled him off the motorcycle, and took away the vehicle key. The bag contained his Aadhaar card, PAN card, Metro card, and some clothes. When the informant resisted during the snatching of the key, he was threatened at gunpoint and further assaulted. The informant then managed to escape from the spot to save his life.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. It is further submitted that the petitioner is not named in the FIR and has been implicated merely on the basis of the confessional statement of co-accused Dilkhush Kumar. The petitioner was arrested in connection with Rupau P.S. Case No. 80 of 2024 along with the said co-accused and was subsequently remanded in the present case on 24.10.2024. He is in judicial custody since then. It is further submitted that the only other material against the petitioner is the Test Identification Parade (TIP) conducted on 05.12.2024, during which the informant is said to have identified the petitioner. It is also submitted that no recovery has been made either from the conscious possession of the petitioner or from his house.

5. Learned A.P.P. for the State, however, vehemently



opposed the prayer for bail and submitted that the petitioner has been specifically identified by the informant/victim during the TIP.

6. Having regard to the nature of allegations, identification of the petitioner in TIP, and absence of mitigating circumstances, I do not find it to be a fit case for grant of regular bail at this stage.

7. However, the Trial Court is directed to expedite the trial and take all endeavour to conclude the trial at the earliest, preferably, within a period of nine (09) months from the date of receipt or production of a copy of this order. In the event, the trial is not concluded within the stipulated period, the petitioner shall be at liberty to renew the prayer for bail after the expiry of nine months.

8. Accordingly, the present bail application stands rejected.

(Khatim Reza, J)

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