

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55308 of 2025

Arising Out of PS. Case No.-229 Year-2025 Thana- MOTIHARI TOWN District- East
Champaran

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Jhunna Kumar @ Jhunna Kumar Shah S/o Nagendra Sah R/o Village-
Jaukatiya, Ward No. 4, P.S.- Majhauriya, District- West Champaran
... .. Petitioner/s

Versus

The State of Bihar
... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate
For the State : Mr. Umanath Mishra, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 12-08-2025 Heard Mr. Bimlesh Kumar Pandey, learned counsel
for the petitioner and learned APP representing the State.

2. The petitioner is in custody in connection with
Motihari (Town) P.S. Case No. 229 of 2025 for the offence
punishable under Sections 319(2), 318(4), 303(2), 338, 336(3),
340(2) and 3(5) of the B.N.S., lodged on 18.03.2025 by the
informant Praveen Kumar Pandey.

3. As per the prosecution story, the informant on
secret information about young persons standing in suspicious
condition near IDBI ATM, raided the place. As the accused
wanted to escape, the Police managed to caught hold of one
person while the others took advantage of the darkness and
escaped. The person apprehended was Ashfak Alam and he give
the details of their modus operandi and further disclosed the
name of this petitioner as one of the accomplice. This led to the
F.I.R.



4. Learned counsel for the petitioner submits that the role of the petitioner is only that his name has come in the confessional statement and so far as recovery of ATM Cards of different persons is/are concerned, it is from Ashfak Alam and nothing has been recovered from the conscious possession of the petitioner. Though he concede that the petitioner has criminal antecedent.

5. Learned APP opposes the prayer submitting that not only he has criminal antecedent of the same nature, the person from whose possession number of different ATM Cards were recovered has named this petitioner.

6. Considering the submissions of the parties as also the materials on record coupled with the fact that the petitioner has criminal antecedent, for the present, this Court is not inclined to extend him the privilege of bail.

7. Accordingly, the bail application stands rejected.

8. Assuming that the charge-sheet has been submitted in the matter, the court concerned should take steps for framing of the charge.

(Rajiv Roy, J)

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