

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82989 of 2024

Arising Out of PS. Case No.-352 Year-2023 Thana- SAHEBPUR KAMAL District-
Begusarai

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Raj Kumar, S/o- Ray Saheb Yadav @ Ram Saheb Yadav, Resident of
Thengha, P.S- Saur Bazar, Distt.- Saharsa Petitioner/s
Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Subesh Sharma, Adv.

For the Opposite Party/s : Mr. Suresh Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

4 09-04-2025 Heard Mr. Subesh Sharma, learned counsel for the
petitioner and Mr. Suresh Prasad Singh, learned APP for the State.

2. Petitioner seeks regular bail in connection with
Sahebpur Kamal P.S. Case No. 352 of 2023 dated 23.12.2023
registered for the offence punishable under section 392 of the
Indian Penal Code (in short 'IPC') and later on, section 411 read
with section 34 of IPC was added.

3. As per the prosecution story, the informant alleged
that on 23.12.2023, he was returning to his home on his Apache
motorcycle of TVS company and when he reached near the
Munger Pul, two persons riding on another TVS motorcycle
intercepted him and on gun point, looted his motorcycle.

4. The main submissions advanced by petitioner's
counsel are that the petitioner has been languishing in jail since
22.07.2024 and he is on bail in all the cases of his criminal



antecedents and there is no legal evidence against him to show his involvement in the alleged crime of loot.

5. Learned APP for the State has opposed the bail prayer of the petitioner.

6. Heard both the sides and perused the FIR and the trial court's order rejecting the petitioner's prayer for bail. The petitioner has criminal antecedent of four cases and the instant matter relates to loot of a motorcycle from the possession of the informant, though the FIR was registered against unknown but as per the paragraph No. 34 of the case diary, the looted motorcycle was recovered from the possession of this petitioner when he was committing an other offence of loot, regarding which Saur Bazar P.S. Case No. 11 of 2024 was registered. Considering these incriminating materials appearing against this petitioner, this Court is not inclined to release him on bail at this stage. Accordingly, his prayer stands rejected.

7. The trial court is directed to expedite the trial of the petitioner and conclude the same at the earliest preferably in the next one year.

(Shailendra Singh, J)

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