

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86039 of 2024

Arising Out of PS. Case No.-13 Year-2024 Thana- CHEWARA District- Sheikhpura

Rohit Kumar, aged about 37 years (Male), Son of Sri Shailendra Prasad Das,
Resident of Village- B.P. High School, Baiju Das Bhawan, Ward No. -20, PS
– Ratanpur, District -Begusarai.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Ajay Kumar Thakur and Mrs. Vaishnavi Singh,
Advocates

For the Opposite Party : Mr. Shantanu Kumar, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 09-01-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks bail in connection with
Chewara P.S. Case No. 13 of 2024 dated 20.02.2024 registered
for the offences punishable under Sections 341, 342, 356 and
379 of the I.P.C. which was later on changed to Section 392 of
the I.P.C.

3. As per the prosecution case, on 18.02.2024, 3-4
unknown miscreants looted the Hyva vehicle bearing No.
BR01GH3508, mobile and purse of the informant while he was
going to Chapra with the Hyva vehicle on which stone chips
was loaded.

4. Learned counsel for the petitioner has submitted



that the petitioner is innocent and has falsely been implicated in this case. The petitioner is not named in the F.I.R. His name has surfaced in the present case on the basis of the confessional statement of the co-accused Raghvendra Kumar which has got no evidentiary value in the eye of law. It is further submitted that the alleged occurrence took place on 18.02.2024 and the F.I.R. has been lodged on 20.02.2024 for which no explanation has been given by the prosecution. It is further submitted that as per the F.I.R., the informant loaded stone chips on his Hyva vehicle at Natraj Iron and Casting Pvt. Ltd., Sheikhpura but during investigation while the police verified the G.P.S. trip history report of the vehicle in question the said vehicle was found at Barari Munger at around that period. As per the G.P.S., detail, the last location of Hyva vehicle has been found at Konand, Patna. Thereafter, on the basis of CDR and CAF of the alleged looted mobile phone, police apprehended Raghvendra Kumar and Vikash Kumar and their confessional statement was recorded in which the co-accused Raghvendra Kumar has stated that he sold the looted vehicle in question to the petitioner and it has not been stated that the petitioner was disclosed that the alleged vehicle was stolen property. Thereafter, the petitioner was apprehended and he disclosed that he has further sold the



vehicle to Kunal Jha @ Maruti Nandan. It is further submitted that while the police went alongwith the co-accused Raghvendra Kumar, Vikash Kumar and Rohit Kumar (petitioner) the said vehicle was parked at Hajipur by the side of the road which was identified by the petitioner and the co-accused Raghvendra Kumar. It is further submitted that the vehicle in question was not recovered either from the house or from the possession of the petitioner. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail application. The petitioner is in custody since 21.09.2024.

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

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Sheikhpura in connection with Chewara P.S. Case No. 13 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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