

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88852 of 2024

Arising Out of PS. Case No.-596 Year-2023 Thana- MOTIHARI MUFASIL District- East
Champanan

=====

Sunny Yadav, Son of Suresh Rai, Resident of Village - Katha, Ward No.14,
P.S. - Motihari Muffasil, District - East Champanan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Vijay Shankar Shrivastava, Adv.

For the Opposite Party/s : Mr. Narsingh Tanti, APP

=====

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 10-01-2025 Heard the learned Advocate for the petitioner and the

learned APP for the State.

2. The petitioner seeks regular bail, who is in custody in
connection with Muffasil P.S. Case No. 596 of 2023 registered for
the offence punishable under Section 392 of the Indian Penal
Code.

3. Allegedly, while the informant was going to his house
on a motorcycle, in the meantime, four persons riding on two
motorcycles overtook him and on the point of pistol snatched the
motorcycle as well as the bag containing 3 lakhs rupees.

4. Learned Advocate for the petitioner contended that
the FIR has been instituted against unknown miscreants, however,
during the course of investigation some of the co-accused persons
have been apprehended by the police. Only on suspicion and in
fact, on their disclosure the name of the petitioner also surfaced. It
is further contended that the occurrence took place on 18.08.2023,

but the FIR has been instituted on 20.08.2023 after delay of two days, without there being any plausible explanation. The reason behind false implication is said to be criminal antecedents of the petitioner, as has been disclosed in Paragraph No. 3 of the bail application. The petitioner has neither been put on Test Identification Parade nor there is any recovery of incriminating material. Moreover, he has been incarcerated since 14.08.2024.

5. On the other hand, learned APP for the State vehemently opposes the bail application and submits that the petitioner bears seven criminal antecedents of different nature and, as such, he appears to be a habitual offender.

6. Regard being had to the submissions made on behalf of the parties and considering the criminal antecedents of the petitioner, this Court is not acceded to the prayer of the petitioner for grant of regular bail at present. However, the petitioner shall be at liberty of renew his prayer for bail application, after framing of the charge.

7. The prayer for regular bail stands dismissed with the aforesaid observation.

(Harish Kumar, J.)

Jyoti Kumari/-

U		T	
---	--	---	--