

In the Court of ACJM-IV(WEST), Muzaffarpur
Kathaiya PS Case no. 142/2020
GR.NO.-4121/2020, (Section- 392 IPC)

07-06-2021	<p>Bail petition dated 05-06-2021 filed on behalf of the accused petitioner in custody namely Golu @ Golu Kumar. A copy of the petition was served to the prosecution. Heard both the parties virtually on the point of bail.</p> <p>Moving the application the learned counsel for the petitioner submitted inter alia that petitioner has not committed any offence; and also not moved any bail petition in any court earlier in this case; the police earlier lodged FIR against unknown persons u/s 392 IPC; a petitioner only on the basis of suspicion and village politics made accused in this case and; it is a fact that Baruraj Police arrested this petitioner in Baruraj P.S case No.-214/2020 and is in judicial custody since 12-12-2020 in Baruraj P.S case no. 214/2020; on the basis of remand this petitioner is judicial custody in this case since January 2021 in the meantime police also submitted charge-sheet; is innocent and he has not committed any offence; there was no any criminal history before lodging Baruraj P.S case no.-214/2020. It is submitted that the petitioner is man of means and there is no any chance of his absconding. The petitioner has sufficient bailers, who are ready to stand as his sureties. Therefore, the petitioner may be enlarged on bail.</p> <p>The learned APO vehemently opposed the bail and stated that the alleged section is non-bailable and serious in nature. The accused does not deserve bail.</p> <p>Perused the record. The FIR shows that the case was registered on the basis of the written report of Ajay Ram who is posted as loan officer at Pahal Finance Services Pvt. Ltd Motipur alleging therein that on 04-12-2020 around 02:40 pm, after collecting total money (26,860/-) from centre he was proceeding towards Motipur branch he was chased by three persons on white Apache Motorcycle and they snatched the collected money his mobile and fled away. The case is registered u/s 392 IPC which is non-bailable and serious in nature. Petitioner is remanded from other case which shows his involvement in other cases of similar offence. Chargesheet has been submitted and against the petitioner u/s 392 IPC.</p> <p>Considering the facts and circumstances of the case and taking into account the seriousness of offence and criminal involvement of accused petitioner in other cases also, this court is not inclined to grant bail to the petitioner. Accordingly, bail petition dt. 05-06-2021 filed on behalf of the petitioner Golu @ Golu Kumar is hereby rejected.</p> <p style="text-align: right;">ACJM-IV(West)</p>
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