



**IN THE COURT OF ADDL. DISTRICT & SESSIONS JUDGE- IV,
HILSA, NALANDA
ST. No.- 257 of 2021
CIS Reg. No.- 92/2021**



In the matter of

State vrs Shashi Kumar

Date of Order or Proceeding	Order with the Signature of the Court	Office action taken with date
22/07/2021		

P.S.- Chandi, FIR No.- 416/20,

U/S- 395 of IPC.

Date of hearing/Date of Disposal- 22-07-2021

Learned Advocate for Petitioner- Sri Baldev Prasad, Learned Advocate, Civil Court, Hilsa, Nalanda.

Learned A.P.P. for the state- Sri Raja Ram Singh, Learned A.P.P., Hilsa, Nalanda.

This bail petition has been filed online on behalf of accused person namely Shashi Kumar who is in custody in connection with Chandi police station case number 416/20 registered under sections 395 of IPC.

Heard learned counsel Sri Baldev Prasad appearing on behalf of the petitioner and learned A.P.P. Sri Raja Ram Singh appearing on behalf of the state by way of virtual court proceeding.

According to the application which is the basis of FIR prosecution case in short is that informant who is an officer in Kenra Bank, Branch- Karari, Dist- Shekhpura was returning from his office to his home on 09/09/20 through Noorsarai. When the informant reached near Madhopur Chowk 6 a person sitting on 3 motorcycle pounced upon the informant and restrain him. They started abusing the informant and on gun point have snatched the Pulsar motorcycle of the informant bearing registration number BR 21S 3435 and along with motorcycle they have snatched the bag in which there was second key of the bank, two sim mobile bearing mobile number 9934293617 and 9570276842 and also snatched Rs. 270/- from the informant.

The learned counsel of the petitioner has submitted that the petitioner is quite innocent and have not committed any offence as alleged in the FIR and no case is made out against this petitioner. Petitioner is falsely been implicated in this case. The allegations levelled against the petitioner is concocted, manufactured and baseless. The petitioner has been remanded in this case on 15/10/20 and since then he is lying in judicial custody. The petitioner has got no criminal antecedent like murder and others. Mere on confessional statement name of this petitioner came in picture. Initially police has lodged case u/s-392 of IPC but after investigation police has submitted charge sheet u/s- 395 of IPC. No TIP has been done. The petitioner is man of means. Accordingly, it has been prayed to allow the said bail petition.

Per contra. The learned A.P.P. for the state has opposed the prayer of the bail petition of the petitioner.

Heard both the parties and perused the case record along with case diary. From perusal of application which is the basis of FIR it is evident that this petitioner is not named in FIR but later on upon the basis of confessional



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statement name of this petitioner has come. From perusal of paragraph 02, 06, 07 and 08 of the case diary it is evident that all the witnesses in their statement before the police have supported the case of prosecution. From perusal of paragraph 30 and 32 of the case diary it is evident that name of this petitioner has been enumerated in the confessional statement of other co accused. From perusal of paragraph 31 of the case diary it is evident that this petitioner himself enumerated about his involvement in the alleged occurrence in his confessional statement. From perusal of paragraph 33 of the case diary it is evident that there is criminal history of this petitioner and this petitioner remande in this case from Chandi P.S. case no.-455/20 u/s- 392 of IPC. Keeping in view the above facts and circumstances discussed here in above and perusing the case record and in view of the discussion made here in above, considering the nature and seriousness of offence this court do not think it fit that the petitioner is entitled to be enlarged on bail. Accordingly, the bail petition of the petitioner is being rejected

Sd/-
A.D.J.-IV
Hilsa, Nalanda