

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16724 of 2015

Arising Out of PS.Case No. -318 Year- 2014 Thana -BANMANKHI District- PURNIA

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RUPESH KUMAR YADAV@RUPESH KUMAR son of Kamleshwar
Yadav Resident of Village- Sripur Rota, Police Station- Kumarkhand,
District- Madhepura

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar

For the Opposite Party/s : Mr. Asha Kumari (App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 25-06-2015

Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in Banmankhi P.S. Case No. 318 of 2014 registered under section 395 IPC. The allegation is that while the informant along with other family members was traveling in a vehicle six unknown persons intercepted and committed dacoity in which the mobile phone, ATM Card and other documents were looted. Mobile phone of the informant was found in possession of the petitioner.

Counsel for the petitioner submits that the petitioner has fallen prey in the present case as he had purchased the aforesaid mobile from the co-accused Amit Kumar who had complicity in the crime. The petitioner is in custody since

15.11.2014.

On perusal of the impugned order it appears that apart from recovery of the mobile phone from the possession of the petitioner it has also been revealed that the SIM Card in the name of the wife of the petitioner was used during or after the occurrence. The petitioner has one more case to his credit besides the present one.

Considering the above, I am not inclined to release the petitioner on bail. His prayer for bail is accordingly rejected. The petitioner shall have liberty to renew his prayer for bail in the court below itself if the trial does not record sufficient progress within six months from the date of receipt/production of a copy of this order.

(Kishore Kumar Mandal, J)

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