

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27276 of 2015

Arising Out of PS.Case No. -347 Year- 2014 Thana -BUDDHACOLONY District- PATNA

- =====
1. Kunal Mandal S/o Shukul Mandal Resident of Ziguli, P.S. Patahi, District - East Champaran
 2. Hemant Kumar @ Chhotu S/o Late Raju Kumar Resident of Jandaha, P.S. Mahanar, District - Vaishali

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Virendra Kumar

For the Opposite Party/s : Mr. Pradeep Nr.Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 14-10-2015 Heard the learned counsel for the petitioners as well as the learned A.P.P.

The petitioners seek bail in a case for the offences punishable under section 379 of the I.P.C

Allegedly, some unknown thieves committed theft of Hero Honda motorcycle bearing registration no. BR 29D-7944, Chasis no. MBLHA10EJ89B22399, Engine no. HA10EA89B57957, Model 2008 of the informant and during investigation the petitioners were apprehended when they were carrying Ganja on the stolen motorcycle and further they have confessed their guilt also regarding theft of the motorcycle.

It is submitted that for recovery of Ganja Gandhi

Maidan P.S. Case No. 443 of 2014 was registered and in that case the petitioners have been allowed bail by order dated 06.08.2015 vide Cr. Misc. No. 28821 of 2015 and as such the petitioners deserve sympathetic consideration, to which the learned A.P.P. opposes.

Considering that the stolen motorcycle has been recovered from conscious possession of the petitioners when they were going on the said motorcycle and transporting Narcotic Substance (Ganja) and as such at present this Court is not inclined to release them on bail and accordingly their such prayer stands rejected in connection with Budha Colony P.S. Case No. 347 of 2014 pending in the court of Sri Rajeev Kumar Barti, J.M. 1st Class, Patna.

However, the petitioners may renew their prayer for bail after framing of the charges in the court below itself.

(Jitendra Mohan Sharma, J)

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