

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26833 of 2015

Arising Out of PS.Case No. -24 Year- 2015 Thana -BASANAHI District- SAHARSA

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1. Dinesh Yadav son of Dhana Yadav, resident of village - Louka, P.S. Alamnagar, District- Madhepura

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anant Kumar-1

For the Opposite Party/s : Mr. Suresh Pd.Singh(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 13-10-2015 Heard learned counsel for the petitioner and learned A.P.P. representing the State.

Petitioner seeks bail in connection with Basanahi P.S. Case No. 24 of 2015 registered for the offences punishable under Section 392 of the Indian Penal Code.

Allegedly three motorcycle borne criminals intercepted the informant and his younger brother when they were going on Honda Shine Motorcycle for appearing in practical examination and snatched the key of motorcycle of the informant bearing Registration No. BR 11N 7958 and also took away Rs. 1500/- and the mobiles of informant and his brother. The informant claimed to identify them after seeing. During investigation the name of the petitioner transpires as looted Honda Shine Motorcycle was

recovered from the house of the petitioner and co-accused Pawan Pathak was found sleeping therein and he was also arrested.

Submission is of false implication and that the petitioner has not been put on T.I.P.. Lal Sagar Yadav and Pawan Pathak after parking the motorcycle, came and were staying in the house of the petitioner and the petitioner has been made victim of the circumstances and, as such, the petitioner having no criminal antecedent, deserves sympathetic consideration.

The learned A.P.P. opposes the prayer of bail by submitting that from the house of the petitioner, the looted motorcycle has been recovered and chargesheet has already been submitted against the petitioner also.

In the facts and circumstances stated above, considering the alleged recovery from the house of the petitioner, this Court is not inclined to enlarge the petitioner on bail and, as such, prayer of bail stands rejected.

(Jitendra Mohan Sharma, J)

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