

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12858 of 2016

Arising Out of PS.Case No. -766 Year- 2015 Thana -BHAGALPUR KOTWALI District-
BHAGALPUR

=====

Rahul Kumar @ Rahul Kumar Yadav, son of Girish Yadav Resideent of
Mohalla- Mayaganj, Police Station- Barari, District- Bhagalpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance:

For the Petitioner/s : Mr. Md. Najmul Hodda

For the Opposite Party/s : Mr. Manish Kumar No.2 (App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 09-05-2016 Heard the learned counsel for the petitioner and the

learned A.P.P representing the State.

The petitioner seeks bail in connection with

Kotwali (Adampur) P.S. Case No. 766 of 2015 registered for the

offences punishable under Sections 461, 379 and 411 of the

Indian Penal Code.

Allegedly, after breaking gate and lock of the shop

of the informant, articles valuing Rs. 36,16,310/- were stolen

away as per description given in Annexure-1 attached to the first

information report. During investigation, several theft articles as

per seizure list dated 20.11.2015 were recovered from the house

of the petitioner.

Submission is of false implication and that no theft articles from the conscious possession of the petitioner were recovered. The house is joint family property. The petitioner has been made victim of the circumstances. He has got clean antecedent and without any fault, he is suffering in custody since 21.11.2015.

The learned APP opposes the prayer of bail by pointing out the recovery of several stolen articles from the house of the petitioner.

In the facts and circumstances stated above, considering the alleged recovery of the stolen articles, I am not inclined to enlarge the petitioner on bail and accordingly his prayer stands rejected in connection with Kotwali (Adampur) P.S. Case No. 766 of 2015 pending in the Court of learned Chief Judicial Magistrate, Bhagalpur.

However, let the trial be expedited and concluded preferably within four months after receipt or production of the copy of this order failing which the petitioner may be at liberty to renew his prayer for bail.

(Jitendra Mohan Sharma, J)

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