

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.20311 of 2016

Arising out of PS.Case No. -335 Year- 2015 Thana -KUDHNI District- MUZAFFARPUR

Mayank Kumar, son of Umesh Prasad Thakur, resident of village- Patahi Jagarnath, P.S.- Sadar, District- Muzaffarpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Yugal Kishore, Advocate.

For the Opposite Party : Mr. Nand Kumar (App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 19-07-2016 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is languishing in custody since 21.01.2016 in connection with Kudhani (Turki) P.S. Case No. 335 of 2015 for the offences instituted under Sections 394 and 307 of the IPC and 27 of the Arms Act.

The prosecution case, in brief, is that the motorcycle of the petitioner was looted away by some unknown miscreants after causing fire arm injury upon him.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 21.01.2016 and the charge sheet has been submitted in the present case. The petitioner is not named in the F.I.R. His name has come in course of investigation. There is

no substantive evidence to implicate the petitioner in the present case.

On behalf of the State it has been submitted that the looted motorcycle has been recovered from possession of the petitioner and from perusal of the seizure list, it is evident that the petitioner has claimed the said motorcycle to be his own motorcycle. The petitioner has got as many as five cases pending against him.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner. The same is rejected in Kudhani (Turki) P.S. Case No. 335/2015, pending in the court of the learned J.M. Ist Class, Muzaffarpur.

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(Sudhir Singh, J)