

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19983 of 2016

Arising Out of PS.Case No. -95 Year- 2016 Thana -BARAUNI District- BEGUSARAI

Nirmal Kumar son of Pramod Sharma @ Pramod Singh, Resident of
village- Rahua, P.S.- S. Kamal, District- Begusarai

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Sanjeet Kumar, Advocate.

For the Opposite Party : Mr. Ram Naresh Ray(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 in connection
with Barauni (Zero Mile) P.S. Case No. 95 of 2016 (G.R. No.792
of 16) for the offences instituted under Sections 419, 420, 467,
468, 171 and 414 of the Indian Penal Code.

The prosecution story in brief, is that the informant was
informed by a superior police officer that one suspected person
was roaming in black coloured Ambassador car with VIP light,
upon which, he proceeded at about 8.00 A.M. The said
Ambassador car stopped at zero mile and the person sitting in the
same was inquired when he boasted and talked threatening but
soon he became cool. On questioning, he disclosed his name as

Nirmal Kumar (Petitioner) and the said car appeared to be stolen one, upon which, there was number plate of defence bearing No. 11B 078610 from his possession. Lenovo lap top and 14 others articles were also recovered on his confession.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 11.03.2016. The charge sheet has been submitted. The petitioner has got no criminal antecedent. He has been made accused due to mistake of fact. There is no compliance of Section 100 of the Cr.P.C. Recovered articles are denied by the petitioner.

On behalf of the state it has been submitted that the petitioner is named in the F.I.R and number of incriminating articles are said to have been recovered from his possession. On assurance given by the petitioner, he used to collect money on the name of appointment in the Defence Services.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner at this stage. The same is rejected in Barauni (Zero Mile) P.S. Case No. 95 of 2016 (G.R. No.792 of 16), pending in the court of learned Chief Judicial Magistrate, Begusarai.

(Sudhir Singh, J.)

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