

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56301 of 2015

Arising Out of PS.Case No. -476 Year- 2012 Thana -ARARIA District- ARARIA

=====

Najmul @ Md. Najmul @ Kalo S/o Late Qudus resident of Village -
Maromgi Tola , Rampur Kodarkatty, P.S. & District - Araria.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Anil Prasad Singh, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Sharma (App)

=====

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

3 12-02-2016 Heard the learned counsel for the petitioner as well as

the learned A.P.P. for the State.

The petitioner seeks bail in a case for the offence
punishable under section 379 of the Indian Penal Code.

Allegedly, Hero Honda Motorcycle bearing
registration no.B.R.38B/9247 of the informant was stolen away
when he had parked the same in the campus of Araria Block
office. In the dikky of motorcycle, there was bag containing
papers. During investigation, the said stolen motorcycle was
recovered from the house of the petitioner.

Submission is of false implication and that copy of
the seizure list was not given to the family members of the
petitioner, at the time of alleged recovery, the petitioner was not

present in the house, the petitioner was not aware regarding keeping of said motorcycle in the house of the petitioner and further that house is not the exclusive property of the petitioner and as such the petitioner deserves sympathetic consideration as he by remaining in custody since 20.9.2015 has been sufficiently penalized.

The learned A.P.P. opposes the prayer for bail by submitting that the stolen motorcycle was recovered from the house of the petitioner and further he has got criminal antecedent as he is involved in three more cases under Section 395 of the I.P.C.

In the facts and circumstances stated above, at this stage, this Court is not inclined to enlarge the petitioner on bail and, accordingly, his such prayer stands rejected in connection with Araria (R.S.) P.S. Case No.476 of 2012 pending in the court of C.J.M., Araria. However, the petitioner may renew his prayer for bail after remaining further four months in custody from today.

(Jitendra Mohan Sharma, J)

N.H./-

U		T	
---	--	---	--