

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30626 of 2016

Arising Out of PS.Case No. -141 Year- 2016 Thana -MADHUBANI TOWN District-
MADHUBANI

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Ranjan Kumar Chaudhary, Son of Kalikant Chaudhary, resident of Village-
Sarisab, P.S. Benipatti, District- Madhubani at present residing at Village-
Sapta, P.S. Rahika, District- Madhubani.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Subhash Kumar Jha, Advocate.

For the Opposite Party : Mr. Nityanand Tiwary, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 14-09-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody since 08.04.2016
in connection with Madhubani Town P.S. Case No. 141 of 2016,
corresponding to G.R. No. 770 of 2016, for the offences instituted
under Sections 379, 411, 414, 401, 403 and 413/34 of the IPC.

The prosecution story, in brief, is that the S.H.O.
Madhubani Town P.S. Yugesh Chandra recorded his self
statement stating therein that on 07.04.2016 at 3.00 A.M. while he
was on night patrolling duty, reached near Gumati No. 13, through
Gaushala Road, noticed two persons are coming on a black colour
bike without any number having a bag(jhola) on carrier and seeing



the police party, they tried to flee away but on chase, one person was caught, who disclosed his name as Ranjan Kumar Chaudhary(petitioner) and accepted that he alongwith Md. Amrulla @ Bhulla (who escaped) are moving for committing to theft of Motorcycle or battery. And on search, from the bag some tools were recovered and on disclosure of accused-petitioner several parts of battery was also recovered and accordingly, seizure list was prepared.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 08.04.2016 and the charge sheet has been submitted in the present case. There is no allegation of tampering of the witnesses alleged against the petitioner. He has been made accused in the present case due to mistake of fact. He had gone to morning walk. The recovery of stolen motorcycle is denied by learned counsel for the petitioner

On behalf of the State, it has been submitted that the petitioner is named in the F.I.R. The petitioner has been apprehended at the spot itself. There are seven cases of similar nature pending against the petitioner.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner at this stage. The same is rejected in Madhubani Town P.S. Case No. 141 of 2016,

corresponding to G.R. No. 770 of 2016, pending in the court of the
learned C.J.M. Madhubani.

U.K./-

(Sudhir Singh, J)

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