

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32279 of 2016

Arising Out of PS.Case No. -159 Year- 2016 Thana -MITHANPURA District- MUZAFFARPUR

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1. Md. Chunna @ Chunna @ Md. Kalam Son of Md. Munna resident of Mohalla- Tinkothiya Near Abeda High School, P.S. Mithanpura, District Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ganesh Prasad Singh

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

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 16-09-2016 Heard learned counsel for the petitioner and the State.

The petitioner is in custody in connection with Mithanpura P.S.Case No.159 of 2016 registered under Section 379 of the Indian Penal Code pending in the Court of learned Sub-divisional Judicial Magistrate (East), Muzaffarpur.

The prosecution case, in brief, is that the informant is a labourer and on 30.06.2016 at 7.30 P.M. he went at Harisabha chowk at market and parked his white motorcycle bearing registration no. BR-06T-5747 near Jayka Jeem and when he returned after half an hour he found that his motor cycle was disappeared.

It is submitted on behalf of the petitioner that the petitioner is in custody since 03.07.2016. Charge sheet has been

submitted in this case. The petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner is not named in the FIR. The petitioner has not been put on T.I. parade.

On behalf of the State it is submitted that in course of investigation petitioner along with other co-accused, namely, Md. Mahtab, was apprehended with the stolen motor cycle, as is evident from para 12 of the case diary.

Considering the aforesaid facts and circumstances of the case, I am not inclined to grant bail to the petitioner and same is rejected at this stage.

(Sudhir Singh, J)

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