

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41764 of 2016

Arising Out of PS.Case No. -275 Year- 2016 Thana -KATIHAR District- KATIHAR

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Samim @ Shamia, S/o late Ali Hussain, R/o Rampara P.S. & District
Katihar.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Sanjeev Kumar Singh, Advocate

For the Opposite Party : Mr. Sri Iftekhhar Mahmood (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 06-10-2016

Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Katihar
Town P.S Case No. 275 of 2016 registered for the offence
punishable under Section 392 of the Indian Penal Code.

Allegedly, three boys came near the informant at
Betel shop of Chhotu, demanded the key of the motorcycle and
when the informant refused to give the key of motorcycle, they
snatched the key of the motorcycle and Samsung mobile on the
point of pistol and fled away towards Daulatram Chowk, during
investigation the name of the petitioner transpired and on the basis
of his confessional statement looted motorcycle has been
recovered from the house of co-accused and the petitioner has got

criminal antecedent also.

Submission is of false implication and that nothing has been recovered from the possession of the petitioner. He has not been put on T.I.P., though he is in custody since 29.07.2016 and as such he deserves sympathetic consideration

Learned A.P.P opposes the prayer of bail by submitting that petitioner has been arrested from house of co-accused namely Ashok Ravidas along with looted motorcycle.

In the facts and circumstances stated above, considering the recovery of looted motorcycles on the basis of confessional statement of the petitioner, I am not inclined to enlarge the petitioner on bail and accordingly, his such prayer stands rejected.

(Jitendra Mohan Sharma, J.)

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