

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47737 of 2016

Arising Out of PS.Case No. -172 Year- 2016 Thana -SARAI RANJAN District- SAMASTIPUR

=====

Deepak Kumar S/o Rajesh Chaudhary, Resident of Village- Kowachok,
P.S.- Tajpur (Halai), District- Samastipur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar No-1

For the Opposite Party/s : Mr. Sri Shailendra Kumar Singh

=====

CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL

ORAL ORDER

3 29-11-2016 Heard Mr. Mukesh Kumar No.1 for the petitioner and Mr.
Raman, APP for the State.

The petitioner prays for grant of bail in Sarairanjan P.S.
Case No. 172 of 2016 registered under section 392/34 IPC.

While the informant was moving on road on a
motorcycle, it is alleged that he was intercepted by two accused
persons riding a motorcycle and chilly dust/powder was thrown
into his eyes and the motorcycle was taken away. The following
day, the police raided/searched a hotel from where five accused
persons started fleeing away. Three of them including the
petitioner were apprehended. Two motorcycles, one belonging
to the informant was/were found in front of the hotel.



It is submitted that the petitioner is in custody since 27.07.2016 having no criminal antecedents. The recovery of the motorcycles cannot be said from the conscious possession of the petitioner. It is also submitted that no TIP was conducted/held by the Investigating Agency.

Learned APP, on the other hand, points out from the case diary that on his statement the detached part(s) of the dickey and the stolen motorcycles were recovered from the house of maternal uncle of the co-accused Manu.

Looking to the materials and the evidence from the record, I am not inclined to grant bail to the petitioner. Prayer is accordingly rejected. However, considering the fact that the petitioner has no criminal antecedents, the Court grants him liberty to renew his prayer for bail after 05 months.

(Kishore Kumar Mandal, J)

HR/-

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

