

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39283 of 2016

Arising Out of PS.Case No. -62 Year- 2016 Thana -BELA District- SITAMARHI

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Jitendra Kumar @ Jitendra Rai, S/o Lalu Rai, R/o village- Jhitakaiya, P.S.-
Bathnaha, District- Sitamarhi.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha

For the Opposite Party/s : Mr. Ram Bachan Singh

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

4 24-11-2016

Heard both sides.

The petitioner seeks bail in Bela P.S. Case No. 62 of
2016, registered under Section 392 of the Indian Penal Code.

The informant lodged the case against four unknown
persons alleging therein that four persons on three motorcycles came
and looted his bag, containing Rs. 23,00,000/- Nepali currency, and
fled away towards north. Then informant disclosed that one looted
Discover motorcycle bearing Reg. No. BR-06AK-4784 was used and
two other motorcycles i.e. Apache and Glamour were also involved in
the crime, but informant did not disclose the registration numbers of
the said Apache and Glamour motorcycles.

Learned counsel for the petitioner submits that petitioner
was arrested on 18.05.2016, but he has not been put on T.I.P. The
name of the petitioner figured in the case in the confessional statement
of Brij Mohan Sah from whose possession Rs. 6,00,000/- of Nepali

currency and one motorcycle bearing Reg. No. BR-06AK-4784 were recovered. One Glamour motorcycle is said to have been recovered from the possession of the petitioner, but the claim of the petitioner is that the same was not recovered from his conscious possession. No material has come that the aforesaid motorcycle was used in the robbery save and except the fact that recovered motorcycle is also Glamour motorcycle. The petitioner was not put on T.I.P. and he is in jail for last six months.

Considering the facts aforesaid and save and except the confessional statement of the co-accused nothing has been recovered from the possession of the petitioner nor the petitioner was put on T.I.P. The petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Sitamarhi in Bela P.S. Case No. 62 of 2016.

(Prabhat Kumar Jha, J.)

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