

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10620 of 2017

Arising Out of PS.Case No. -215 Year- 2016 Thana -MOTIHARI TOWN District-
EASTCHAMPARAN(MOTIHARI)

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1. Harendra Kumar Son of Kishundeo Sah, Resident of Village- Gobari,
P.S.- Banjariya, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Tiwari

For the Opposite Party/s : Mr. Sri Sanjay Kumar

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

2 23-03-2017 A supplementary affidavit has been filed on behalf of the
petitioner disclosing the criminal antecedent of the petitioner.

Let it be kept on record.

Heard learned counsel for the petitioner as well as
learned A.P.P. for the State.

The petitioner seeks bail in connection with Motihari
Town P.S. Case No. 215/2016, registered for the offences
punishable under Sections 379 and 411 of the Indian Penal Code.

Allegedly, the tablet mobile of the informant was stolen
away and during investigation the said tablet mobile was
recovered from the house of the petitioner and for that the
petitioner is in custody since 19.11.2016.



Submission is of false implication and that the petitioner was not caught on the spot nor seen by any one. He purchased the said tablet mobile from Biku Mian of Khuda Nagar without having any knowledge that the said mobile is stolen property and as such the petitioner deserves sympathetic consideration, to which Learned A.P.P. duly assisted by the learned counsel for the informant opposes the prayer for bail by submitting that the petitioner has not disclosed before the Investigation Officer at once that the said mobile was purchased from any one. Now, after lapse of time he is claiming in such way.

Considering the alleged recovery, I am not inclined to enlarge the petitioner, above named, on bail. Accordingly, the prayer for bail of the petitioner stands rejected.

However, the petitioner will be at liberty to renew his prayer for bail after six months of his custody.

(Jitendra Mohan Sharma, J.)

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