

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10991 of 2017

Arising Out of PS.Case No. -16 Year- 2017 Thana -BYPASS District- PATNA

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1. Pramod Kumar Gupta Son of Late Rameshwar Prasad Gupta, Resident of Village- Turkauliya Chawk, P.S. Turkauliya, District East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Yogesh Chandra Verma, Sr. Advocate

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

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 24-03-2017 Heard both sides.

The petitioner seeks bail in Bypass P.S. case No. 16 of 2017 under Section 461/379 of the Indian Penal Code.

The Manager of Govind Rubber Ltd., Chhoti Pahari, Patna lodged the case of theft against unknown. It is alleged that tyres and other articles were stolen from the godown of the company.

Sri Yogesh Chandra Verma, the learned senior counsel for the petitioner, submits that no offence under Section 461/379 of the IPC is made out against the petitioner. The stolen tyres are said to have recovered from the shop of the petitioner at the instance of driver of the pick-up van but the petitioner has let out the shop to somebody else. The petitioner cannot be held



responsible for the recovery of stolen tyres but from perusal of the records, it appears that the G.P.S., fitted with the pick-up van, indicated that stolen tyres were taken to Turkauliya and kept in the shop of the petitioner and from where tyres worth Rs. 5 lacs were recovered. The shop belongs to the petitioner.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner on bail, at this stage. Accordingly, the same is rejected.

The petitioner may renew his prayer for bail after remaining four months in custody.

(Prabhat Kumar Jha, J)

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