

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31981 of 2017

Arising Out of PS.Case No. -46 Year- 2017 Thana -KOTWALI District- PATNA

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1. Mohan Kumar Son of Devendra Raut, Resident of Bhagwanpur Kotwa, (Bazar Road), Ghorasahan, P.S.- Ghorasahan, District- East Champaran. at Motihari.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh

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

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 24-07-2017

Heard the parties.

This application is for grant of regular bail in connection with Kotwali P.S.Case NO.46 of 2017, registered for the offences punishable under Sections 401, 399, 402 and 412 of the Indian Penal Code.

The case is under Section 399, 402 and other Sections of the IPC and name of the petitioner has transpired on the basis of confessional statement of the co-accused and there is recovery of two R.M. '*Chenni*', some cash and other articles.

Submission of the learned counsel for the petitioner is that nothing incriminating material has been recovered from the possession of the petitioner and he is no way concern with the present case. It is also submitted that though there are criminal



antecedent as mentioned in the case diary as well as in the impugned order but he is no way connected with those cases and only on the basis of suspicion, he has been made accused in this case.

Heard learned A.P.P. also, who has opposed the prayer for bail.

Having heard both sides and in view of the facts and circumstances, as stated above, I am not inclined to grant bail to the petitioner. However, the learned trial court is directed to verify the antecedent of the petitioner as mentioned in F.I.R. from the police officials as the cases are of the other States, within a period of three months, and if it is found that the petitioner is not connected with those cases, the learned court below will consider the prayer for bail of the petitioner and he will pass appropriate order without being prejudiced by the order of this Court.

With the aforesaid observation, this application is disposed of.

(Vinod Kumar Sinha, J)

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