

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47350 of 2017

Arising Out of PS. Case No.-61 Year-2017 Thana- NARPATGANJ District- Araria

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Arun Yadav S/o Bisundeo Yadav Resident of village - Fatehpur, P.S.
Narpatganj, District - Araria.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nafisuzzoha

For the Opposite Party/s : Mr. SRI ABHAY KUMAR ROY

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

2 16-10-2017 Heard both sides.

The prayer is for bail in connection with Narpatganj P.S. case no. 61 of 2017 registered under Section 392 of the IPC. Later on from the impugned order it appears that charge-sheet was submitted under Sections 395 and 412 of the IPC.

While the informant was going on a motorcycle in the night, it is alleged that, at the gun point he was relieved off his motorcycle and other belongings. One another person was also coming on a motorcycle. He too was relieved off his motorcycle and mobile phone etc. at the gun point.

Learned counsel submits that FIR was lodged against unknown. On the confessional statement of one of the co-accused(s) stolen motorcycle is said to have been recovered from the house of the petitioner. It is submitted that the house



was in the joint possession of other family members. Although in the F. I.R. the informant claims identification by face but he was not been put on T.I.P. It is also submitted that in one case relating to the recovery of motorcycle he has been released on bail.

Learned counsel for the State, while opposing the prayer, points out the criminal antecedents of the petitioner as disclosed in para 3 of the bail petition.

Looking to the nature of allegations and other materials reflected from the record, this Court is not inclined to direct his release on bail. Prayer is, accordingly, rejected. If there is undue delay in taking up the trial, the petitioner would be at liberty to renew prayer for bail in the Court below itself.

(Kishore Kumar Mandal, J)

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