

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36165 of 2017

Arising Out of PS.Case No. -165 Year- 2016 Thana -KUMARGHAND District- MADHEPURA

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1. UMESH KUMAR @ UMESH YADAV @ UMESH KR. YADAV Son
of Basudeo Yadav Resident of Village- Sakhua, P.S. Pipra, District- Supaul.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pranav Kumar

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

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 05-09-2017 Heard the parties.

This application is for grant of regular bail in connection with Kumarkhand P.S.Case NO.165 of 2016, registered for the offences punishable under Section 379 of the Indian Penal Code.

Allegation against the petitioner and other accused persons is about recovery of stolen motorcycle from them.

Submission of the learned counsel for the petitioner is that the petitioner has been falsely implicated in this case as nothing has been recovered from his possession and another co-accused persons has already been granted bail by this Court vide order dated 18.8.2017 passed in Cr. Misc. No.37159 of 2017. The petitioner is in custody for more than three months. It has also



been submitted that the petitioner is accused in one more case but he is on bail in that case.

Heard learned A.P.P. also, who has opposed the prayer for bail on the ground that in this case there is recovery of stolen motorcycle from the possession of the petitioner whereas from the another co-accused, who has been granted bail, nothing has been recovered.

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 at this stage, however, the petitioner may renew his prayer for bail after framing of charge in this case or completion of six months' of custody, whichever is earlier.

With the aforesaid observation, this application is dismissed.

(Vinod Kumar Sinha, J)

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