

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48736 of 2016

Arising Out of PS.Case No. -64 Year- 2016 Thana -NAYAGAON District- SARAN

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Prakash Kumar, son of Shambhu Prasad, resident of Mohalla- Mohan Nagar, Husse Chapra, P.S.- Chapra Town, District- Saran at Chapra.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Dewendra Narayan Singh, Advocate
For the Opposite Party/s : Mr. Surendra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 28-01-2017

Heard learned counsel for the petitioner.

This is an application for bail in connection with Nayagaon P.S.Case No. 64 of 2016 registered for the offences punishable under Section 379 of the Indian Penal Code.

It has been submitted on behalf of the petitioner that though the material shows there is recovery from the possession of the petitioner but it is not from conscious possession of the petitioner and he is in custody for about three months.

Heard learned APP also.

Learned APP has opposed the prayer for bail stating that there is recovery from the possession of the petitioner.

Having heard both sides and considering the fact that there is recovery from the possession of the petitioner, I am not



inclined to grant bail to the petitioner. Accordingly, prayer for bail is rejected at this stage.

However, the petitioner may renew his prayer for bail after framing of charge in this case.

(Vinod Kumar Sinha, J)

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