

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5803 of 2017

Arising Out of PS.Case No. -62 Year- 2016 Thana -BELA District- SITAMARHI

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1. Braj Mohan Sah @ Brij Mohan Sah Son of Ram Chander Sah Resident of
Village- Lohkhar, P.S. - Sonebarsa, District- Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Thakur

For the Opposite Party/s : Mr. Sri Iftekhar Mahmood

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 16-02-2017 The petitioner is in custody since 16.05.2016 in
connection with Bela P.S. Case No. 62 of 2016, registered for
offences punishable under Sections 392 of the Indian Penal Code.

It has been submitted on behalf of the petitioner that there
is allegation of recovery of one stolen motorcycle and Rs.
6,00,000/- (Rs. Six Lakhs) of Nepali currency, however the
recovered article has not been put on T.I.P. and currency that has
been recovered from the possession of the petitioner belongs to
him as he wanted to purchase a piece of land in Nepal. It has
further been submitted that other co-accused from which also, a
stolen motorcycle was recovered, has already been granted the
privilege of regular bail by this Court and the petitioner is
languishing in judicial custody since 16.05.2016.



Heard learned A.P.P. also.

Having heard both sides, in view of the fact that in this case on stolen motorcycle and huge amount of Nepali currency has been recovered from the possession of the petitioner and also that the petitioner has criminal antecedent, I am not inclined to grant the petitioner, the privilege of regular bail, at this stage, it is accordingly rejected.

However, the petitioner may renew his prayer for bail in the court below itself once the charges are framed in this case and if any such application is filed, the court below shall consider the same on the merit of the case, without being prejudiced by the order of this Court.

With the above observation, this application is dismissed.

(Vinod Kumar Sinha, J)

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