

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4702 of 2017

Arising Out of PS.Case No. -106 Year- 2014 Thana -BANGAON District- SAHARSA

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Mitthu Singh @ Mithu Singh, Son of Shashi Bhusan Singh @ Sachitanand Singh, Resident of Village-Murli Basantpur, P.S.-Bangaon, District: Saharsa.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Mishra Advocate

For the Opposite Party/s : Mr. Nagendra Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 14-02-2017

This is an application for grant of bail for offences punishable under Section 412 of the Indian Penal Code.

It has been submitted on behalf of the petitioner that in the present case nothing has been recovered from possession of the petitioner and others. From the impugned order it appears that at the instance of the petitioner one motor-cycle was recovered, that is error on record. Petitioner is in custody since 29.8.2016. It has also been submitted that petitioner is an accused in five other cases but in this case he has falsely been implicated as an accused.

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

Having heard both sides, in view of the allegation made and he has criminal antecedent, at this stage I am not



inclined to grant bail to the petitioner, the same is rejected. However, petitioner is at liberty to renew his prayer for bail after framing of charge.

Learned court below, i.e., Chief Judicial Magistrate, Saharsa, is directed to consider the case of the petitioner in connection with Bangaon P.S. Case no. 106 of 2014 on its own merit, on the basis of legal evidence available on record against the petitioner and also taking into account the period of custody and dispose of the same without being prejudiced by the order of this Court.

With this observation the present application stands disposed of.

(Vinod Kumar Sinha, J)

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