

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52481 of 2017

Arising Out of PS. Case No.-54 Year-2017 Thana- DALSINGHSARAI District- Samastipur

SUNIR CHOUDHARY@CHHOTU S/o Sudhir Choudhary, R/o Village-
Rajwara, P.S.- Garhara, District- Begusarai presently residing at Village-
Sokhara Ward No. 10, P.S.- Fulwaria, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Mohan Mishra

For the Opposite Party/s : Mr. SRI ADITYA NARAYAN SINGH 1

**CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL**

ORAL ORDER

2 20-11-2017 Heard both sides.

Prayer is for grant of bail in Dalsingsarai P.S. Case No. 54
of 2017 registered under section 379 of the Indian Penal Code.

The motorcycle of the informant when parked outside the
Restaurant was lifted. F.I.R. was lodged against unknown. Few
days thereafter, co-accused Ashutosh @ langra was
apprehended. His confessional statement was recorded wherein
he accepted to have lifted the motorcycle. He also named the
petitioner as the participant. On his disclosure, the stolen
motorcycle was recovered from the possession of the petitioner.
Learned counsel submits that co-accused Ashutosh has accepted
of having committed theft. There is no direct involvement of the
petitioner. There is some discrepancy in the seizure memo



prepared by the police with respect to the stolen motorcycle. The petitioner is in custody since 3.6.2017. It is stated that the charge-sheet has already been filed.

Counsel for the State opposed the prayer. It is submitted that the petitioner has few more criminal cases to his credit. Stolen motorcycle recovered from his possession. It is stated by the petitioner that he has been granted bail in those cases.

Having regard to the nature of allegation and other materials available on record, prayer for bail is rejected. However, if the petitioner, after expiry of four months, pray for bail in Court below itself, the same shall be considered on its own merit uninfluenced by the present order.

(Kishore Kumar Mandal, J)

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