

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8480 of 2017

Arising Out of PS.Case No. -489 Year- 2016 Thana -GOPALGANJ TOWN District- GOPALGANJ

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Ashish Kumar, Son of Shyam Jee Prasad, Resident of Village- Rup Chhap,
Police Station- Bishwambharpur, District- Gopalganj.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Javed Aslam

For the Opposite Party/s : Mr. Anuj Kumar Srivastava

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 15-03-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in a case instituted under
Section 414 of the Indian Penal Code.

The prosecution story, in brief, is that one motorcycle is
said to have been recovered from the possession of the petitioner.

It has been submitted on behalf of the petitioner that the
petitioner is in custody since 24.11.2016. The charge sheet has
been submitted in the present case. The petitioner has got no
criminal antecedent. There is no allegation of tampering of
witnesses alleged against the petitioner. The petitioner has been
made accused due to mistake of fact. He had no knowledge that
recovered motorcycle is a stolen property.



On behalf of the state, it has been submitted that the petitioner is named in the F.I.R. and was apprehended with a stolen motorcycle.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner '**at this stage**'. The same is rejected in Gopalganj P.S. Case No. 489 of 2016, pending in the court of learned C.J.M., Gopalganj.

(Sudhir Singh, J)

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