

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31195 of 2019

Arising Out of PS. Case No.-87 Year-2019 Thana- SUPAUL District- Supaul

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Jitendra Kumar Yadav @ Jitendra Kumar S/o Sri Kamleshwari Yadav @
Kamleshwari Prasad Yadav R/o village- Bela, P.S.- Supaul, District- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Amrit Abhijat

For the Opposite Party/s : Mr.Rita Verma

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 10-05-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered under Section
379 of the Indian Penal Code.

The prosecution case, in brief, is that Ashtdhatu Nag of
Lord Shiva was stolen from the temple by unknown person.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation
of tampering of witnesses alleged against the petitioner. The
petitioner is in custody since 17-02-2019. The petitioner has
falsely been implicated in the present case. There is no other
substantive evidence to suggest the implication of the petitioner
in the present case.

On behalf of the State, it is submitted that the petitioner is



not named in the Complaint Case/F.I.R. His name surfaced in this case in course of investigation. Ashtdhatu Nag of Lord Shiva was stolen from the temple and the same was recovered from possession of the petitioner.

Considering the fact that recovery of stolen property was made from possession of the petitioner, I am not inclined to grant bail to the petitioner. Accordingly, prayer for bail of the petitioner in connection with Supaul P.S. Case No. 87 of 2019 is rejected.

The trial court is directed to take all necessary steps to expedite the trial and conclude the same as early as possible, preferably within a period of seven months from the date of receipt/production of copy of this order.

(Sudhir Singh, J)

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