

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18523 of 2020

Arising Out of PS. Case No.-316 Year-2018 Thana- SAHPUR District- Bhojpur

VIKASH KUMAR DOME @ VIKASH DOME @ PANDEY, Son of Rajesh
Dome, Resident of Village - Shahpur, P.S.- Shahpur, Distt - Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Singh, Adv.
For the Opposite Party/s : Mr.Satyendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 03-07-2020 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks bail in a case registered for the offence punishable under Sections 380, 457 and 411 of the Indian Penal Code.

The prosecution case in brief is that as per FIR, on the alleged date and time occurrence of 06.10.2018 some unknown miscreants broke down the shutter of the mobile shop of the informant and committed theft of articles worth Rs. 5,10,000/- including mobile sets of Rs. 4,50,000/- accessories of Rs. 35,000/- along with cash of Rs. 60,000/-and hence, the present case lodged.

Learned counsel for the petitioner submits that the petitioner is innocent committed no offence and has been falsely



implicated in the present case. The petitioner has not named in the FIR, rather, his name has transpired on record on the basis of confessional statement of this petitioner himself which has no evidentiary value.

Learned APP for the State opposes the prayer for bail petition and submits that the petitioner was arrested and confessed his participation in the occurrence and nine mobile sets were recovered from his house which is also supported by the seizure list and the petitioner is also involved and an accused in other case of theft vide Shahpur P.S. Case No. 203 of 2018.

Considering the aforesaid facts, I am not inclined to enlarge the petitioner on bail. Accordingly, the prayer for bail of the petitioner is rejected in connection with Shahpur P.S. Case No. 316 of 2018 from the Court of the learned Additional Chief Judicial Magistrate, Bhojpur.

The application is dismissed accordingly.

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

(Anjani Kumar Sharan, J)

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