

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.19169 of 2020

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Sohan Kumar, aged about 39 years (Male), son of Shankar Patel, resident of
village –Sripur Kawaiya, P.S. Jharokhar, District East Champaran

..... Petitioner

Versus

The State of Bihar

..... Opposite party

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Appearance

For the Petitioner : Mr. Sunil Kumar No.III, Advocate

For the State : Mr. Bhanu Pratap Singh, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

4 14.07.2020 Heard learned counsel for the petitioner and learned A.P.P
for the State through video conferencing.

The petitioner has filed the instant application for grant of
regular bail in connection with Betiah Mufassil P.S. Case no.
702 of 2019 registered under sections 379, 411 and 413 of the
Indian Penal Code.

As per allegation in the F.I.R., three accused persons
made an attempt to steal the motorcycle of the informant. While
two of them managed to escape, the petitioner was caught and
handed over to the police.

Case diary had been called for in the case and the same
has been received.

It is submitted by learned counsel for the petitioner that
the allegations as levelled in the F.I.R. are false and the



petitioner has been falsely implicated in the case for the reason that the son of the informant who had taken a loan of Rs. 80,000/- from the petitioner was not ready to return the same and instead falsely implicated the petitioner in this case. The petitioner is in custody since 17.12.2019 and charge sheet having been submitted, the investigation has already concluded.

The application for bail is opposed by learned A.P.P. for the State.

Having heard learned counsel for the parties and on going through the case diary, it transpires that the petitioner was caught with the motorcycle and the witnesses have supported the allegations against him. It further transpires that the petitioner has three earlier cases against him. In view of the facts and circumstance of the case, this Court is not inclined to enlarge the petitioner on bail. As such his application for bail is rejected.

However, in the facts and circumstances of the case the petitioner is given liberty to move this Court for bail on completing one year in custody.

(Partha Sarthy, J)

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