

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25686 of 2020**

Arising Out of PS. Case No.-450 Year-2019 Thana- NAANPUR District- Sitamarhi

Manish Kumar Son Of Bharat Singh Resident Of Village - Majhaur, P.S. -
Nanpur, District – Sitamarhi ... Petitioner

Versus

The State Of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr. Pushpendra Kumar Singh, Advocate
For the Opposite Party : Mr. Addl Public Prosecutor

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

3 23-11-2020 Heard learned counsel for the petitioner as well as
learned counsel for the State through video conferencing.

The petitioner seeks bail in Nanpur Police Station
Case No. 450 of 2019 registered for the offences punishable
under sections 392 and 412 of the Indian Penal Code.

The informant alleges that on 4.12.2019 at 6 pm
when he was returning to the house after closing the Jewellery
shop three unknown miscreants covering their face pushed him
and ran away with his motorcycle. In the dicky of the
motorcycle, there was key of the shop and Godrej shelf and
some ornaments.

Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in this case on the basis of
his confessional statement made in Nanpur Police Station Case
No. 50/2020. Charge sheet has also been filed in the case.



Informant has not identified the petitioner in the Test Identification Parade. Petitioner is in custody since 3.4.2020.

Learned counsel for the State opposes the prayer for bail and submits that in course of investigation on the disclosure made by the petitioner a bag containing cap, muffler and 37 keys were recovered by the side of road in a bush. Said articles have been identified by the informant to be stolen article. Further, as the miscreants had covered their face at the time of committing offence as per the FIR, there is no likelihood of their identification by the informant in the TIP.

In view of the nature of allegation as well as the fact that recovery of stolen article has been made on the disclosure made by this petitioner, his prayer for bail is refused.

(Prabhat Kumar Singh, J)

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