

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.27962 of 2020**

Arising Out of PS. Case No.-468 Year-2019 Thana- GARKHA District- Saran

Deepak Rai Son of Anil Rai Resident of Village- Doriganj, P.S.- Doriganj,
District- Saran. Petitioner

Versus

The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Ms.Dimpal Kumari, Advocate

For the Opposite Party/s : Mr.Akhileshwar Dayal, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

3 08-12-2020 Heard learned counsel for the petitioner and Mr. Akhileshwar Dayal, learned APP for the State who is present in Court.

The petitioner in the present case is seeking regular bail in connection with Garkha P.S. Case No. 468 of 2019 registered for the offences punishable under Sections 392 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner has been brought in this case on remand from another case on the basis of recovery of alleged theft of motorcycle from the door of the petitioner. It is submitted that though it is alleged that the motorcycle was seized from the house of the petitioner but in fact the motorcycle was recovered by police from another place and the name of the petitioner has been dragged in this case. He is in custody since 21.09.2019.

On the other hand, learned APP for the State submits that this petitioner is habitual offender. In paragraph '3' of the present



petition it is stated that he is accused in 13 criminal cases and almost all are of grave nature.

It is submitted that from the case diary it would appear that police when raided the house of the petitioner, found one TVS company Victor motorcycle without number plate. This is one of the looted motorcycle and in paragraph '29' of the case diary it has come that the informant of this case came to the police station and identified the motorcycle which had been recovered from the house of the petitioner.

Having regard to the facts and circumstances of the case, there being materials available on the record and recovery of looted motorcycle from the house of the petitioner and there being huge criminal antecedents, this Court is not inclined to grant privilege of bail to the petitioner.

The prayer for regular bail of the petitioner is, thus, refused.

The application is dismissed.

Let the trial be expedited.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

