

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86368 of 2019

Arising Out of PS. Case No.-81 Year-2019 Thana- MOKAMAH District- Patna

Subodh Kumar Son of Mahendra Prasad Resident of Village - Jangalibigha,
P.S. Kasar and District- Sheikhpura Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ram Prasad Singh, Advocate

For the Opposite Party/s : Mr.Dinesh Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 18-01-2020 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner in this case is seeking regular bail in connection with Mokama P.S. Case No. 81 of 2019 registered for the offence punishable under Section 392 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner has been arrested in this case only because at the relevant time he was found in the premises in which co-accused Dharmraj was there. It is further submitted that no incriminating material has been recovered from possession of the petitioner and he is in custody since 30.08.2019.

Learned APP for the State has opposed the prayer of regular bail of the petitioner.

Considering the facts and circumstances of the case



wherein although the submission of learned counsel for the petitioner is that the petitioner has been arrested in this case only because at the relevant time he was found in the premises in which the co-accused Dharmraj was there and he had been arrested in connection with the present case on 29.05.2019, further submission that in connection with the present case there was no recovery of any incriminating article from possession of the petitioner but on going through the impugned order this Court finds that the learned court below has taken note of the material present in paragraph '104' of the case diary in which it has come that both the TIP witnesses in presence of Judicial Magistrate Ist Class, Barh have identified the present accused. Apart from that there are criminal antecedent of the petitioner and the petitioner is in custody in connection with the present case is only since 30.08.2019, this Court is not inclined to grant regular bail to the petitioner.

The application stands dismissed.

(Rajeev Ranjan Prasad, J)

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