

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86183 of 2019**

Arising Out of PS. Case No.-459 Year-2019 Thana- SIWAN CITY District- Siwan

BIBIK GUPTA Son of Diwesh Gupta Resident of Village- Tekniwas Kachnar,
P.S.- Rivilganj, District- Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramchandra Sahni
For the Opposite Party/s : Mr.Uday Pratap Singh

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER**

2 14-01-2020 Heard the learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks regular bail in connection
with Siwan Town PS case no. 459 of 2019 instituted for the
offences punishable under Section 379/411 of Indian Penal
Code.

The case of the prosecution is that the informant
who is an employee of Bandhan Bank had come for a meeting
to Bandhan Bank at Babhanauli, PS-Mairwan on 03.08.2019 at
about 11.30 am and had parked his motorcycle beneath the Bank
premises, whereafter he had gone inside the Bank for attending
the meeting, however in the meantime, the guard had come to
the informant and reported that some boy was attempting to take
away the motorcycle of the informant and then the informant



along with other employees had gone outside and had caught hold of the said miscreant who was trying to open the lock of the motorcycle of the informant with the intention of stealing the motorcycle and upon inquiry, he disclosed his name as Bibik Gupta. The petitioner is thereafter stated to have been handed over to the police along with the master key, he was possessing.

The learned counsel for the petitioner has submitted that the petitioner is innocent and has been falsely implicated in the present case. It is further submitted that the petitioner is languishing in custody since 03.08.2019.

I have heard the learned counsel for the parties and considering the submissions made by them as also have perused the materials on record and I find that the petitioner was caught red-handed while committing theft of the motorcycle of the informant and moreover, the petitioner appears to be a habitual offender and is having a bad antecedent, inasmuch as he is an accused in 10 other cases, hence I am not inclined to enlarge the petitioner on bail, accordingly, the present petition stands dismissed.

(Mohit Kumar Shah, J)

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