

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36209 of 2020

Arising Out of PS. Case No.-100 Year-2020 Thana- KADAMKUAN District- Patna

ANIL SHAH @ ANIL PRASAD @ ANIL SONI S/o Ram Narayan Prasad
Resident of Village-Garkha, P.S.-Garkha, District-Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satyendra Kumar Singh, Advocate
For the Opposite Party/s : Mr.Pramod Kumar Pandey,APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 25-02-2021 Heard learned counsel for the petitioner and learned APP for the State. Learned counsel for the petitioner has filed an undertaking to remove all defects pointed out by the Stamp Reporter as and when required. It is accordingly directed that all defects pointed out by the Stamp Reporter be removed within one month hereof.

2. The petitioner is in custody since 05.03.2020 in connection with Kadamkuan P.S. Case No.100 of 2020 for the alleged offences under Sections 394 of the Indian Penal Code.

3. It is submitted that the petitioner has been implicated merely on suspicion and he is not named in the FIR, which has been instituted against four unknown persons. It is submitted that the petitioner's name has transpired from the extra judicial confessional statement of co-accused Vicky Kumar @ Subham Kumar Gupta, who is said to have handed over the golden chain and ring to the petitioner for sale. It is submitted that the seized golden chain and ring had not been identified by the informant. The petitioner has already suffered almost one year in custody and claims clean antecedents.



4. Learned APP appears and has been heard.

5. Having regard to the nature of accusations, gravity of offence alleged and considering the recovery of the two golden rings and chain from the petitioner's jewelry shop, this Court is not inclined to grant the privilege of bail to the petitioner. The petition stands dismissed.

6. Office shall follow-up to ensure that all defects are removed and compliance with the notices of this Court are made by the petitioner within the stipulated time provided in para 1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Vikash Jain, J)

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