

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37461 of 2020

Arising Out of PS. Case No.-1007 Year-2019 Thana- MADHEPURA District- Madhepura

SHIV KUMAR Son of Umesh Yadav R/o Village- Shabha Tola, Sikhasan
Ward No.02, P.S.- Kishanpur and District- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Verma
For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 02-02-2021 Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner seeks bail in Madhepura P.S. Case No.
1007 of 2019, registered for the offence punishable under
Section 392 of the Indian Penal Code.

As per the prosecution case, on 30.11.2019 while the
informant was returning to his home on motorcycle, on the way,
two unknown miscreants overtook him and on the point of
pistol, looted motorcycle, mobile and purse containing cash of
Rs. 1500/-, ATM card etc.

It is submitted on behalf of the petitioner that
petitioner has falsely been implicated in this case merely on
suspicion. Petitioner is not named in the FIR. However, his
name surfaced subsequent to this case in Bhaptiyahi PS Case



No. 114 of 2019 and this petitioner is alleged to have been found in possession of the looted motorcycle. Petitioner is in custody since 27.02.2020.

Learned APP however, vehemently opposed the prayer for bail and submitted that stolen motorcycle has been recovered from possession of this petitioner.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner above-named on bail. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

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