

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36897 of 2020**

Arising Out of PS. Case No.-131 Year-2020 Thana- NAUTAN District- West
Champanan

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Jitendra Patel S/o Sri Paras Patel R/o village- Baikunthwa, P.S.- Nautan,
District- West Champanan

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Umesh Chandra Verma, Advocate

For the State : Mr. Tarun Prasad Mandal, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 02-02-2021 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 01.05.2020 in
connection with Nautan (Jagdishpur) P.S. Case No. 131 of 2020
for the offences alleged under Sections 379, 380, 457, 511, 413,
414/34 of the Indian Penal Code.

3. It is submitted that the petitioner has been falsely
implicated along with two other co-accused who were
apprehended near the house of the informant. It is submitted
that the petitioner was caught by the villagers merely on



suspicion after disbelieving that he was a resident of adjoining village. No recovery has been made from the conscious or constructive possession of the petitioner, who claims clean antecedents.

4. Learned APP, on the other hand, invites reference to the impugned order from which it transpires that a Hero Honda Hunk motorcycle bearing Registration No. BR22E5584 and one half H.P. electric water motor have been recovered from the conscious possession of the petitioner.

5. Having regard to the nature of accusations and the gravity of the offence alleged, this Court is not inclined to grant the privilege of bail to the petitioner. The bail 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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