

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38137 of 2020

Arising Out of PS. Case No.-268 Year-2019 Thana- ITARHI District- Buxar

JITENDRA CHOUHAN son of Dayashankar Chouhan @ Dayashankar Chauhan Resident of Village- Mahadah, P.S. Buxar Muffasil, District- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramakant Yadav

For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 05-02-2021 Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner seeks bail in Itarhi P.S. Case No. 268 of 2019, registered for the offence punishable under Section 392 of the Indian Penal Code.

As per the prosecution case, on 03.12.2019 at about 9.30 pm, while the informant was returning to his house on motorcycle, on the way, three unknown miscreants looted away his phone, motorcycle and cash of Rs. 25,000/-.

It is submitted on behalf of the petitioner that petitioner is not named in the FIR. During course of investigation, name of this petitioner has come in this case. No stolen article has been recovered from his possession. Petitioner is in custody since 06.12.2019.



Learned APP however, vehemently opposed the prayer for bail and submitted that looted motorcycle was recovered from the house of one Rampravesh Choudhary on the disclosure made by this petitioner and petitioner has got criminal antecedent.

Considering the facts aforesaid and criminal antecedent of the petitioner, 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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