

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3028 of 2021

Arising Out of PS. Case No.-42 Year-2020 Thana- GAYA KOTWALI District- Gaya

Sudhanshu Kumar Son of Satyendra Sharma Resident of Mohalla - New
Area, Piperpati (Musi House), Police Station - Kotwali, District - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Kumar No.2,Adv.

For the Opposite Party/s : Mr.Pramod Kumar Pandey,APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3. 16-06-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Kotwali P.S. Case No. 42 of 2020, registered for the offence under Sections 392, 412 of the Indian Penal Code and Sections 30(a) and 37(ii) of Bihar Prohibition and Excise Act.

As per the prosecution case, this petitioner alongwith co-accused, in drunken condition, is alleged to have snatched the motorcycle of informant's brother on the point of pistol.

It is submitted on behalf of petitioner that petitioner has been falsely implicated in this case. In fact, there was some monetary dispute between the parties and when the petitioner demanded his money, this false case has been lodged by the informant. Petitioner is in custody since 01.02.2020.



However, learned A.P.P. for the State has vehemently opposed the bail application and submitted that there is specific allegation against petitioner and co-accused, who were in drunken condition, that they snatched the motorcycle of informant's brother and police has recovered the said motorcycle from the possession of the petitioner. It is further submitted that petitioner has also got criminal antecedent and he is accused in six more criminal cases.

Considering the nature of allegation, criminal antecedent of petitioner and the fact that stolen motorcycle has been recovered from the possession of the petitioner, the bail petition of petitioner is rejected.

(Prabhat Kumar Singh, J.)

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