

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45405 of 2021

Arising Out of PS. Case No.-635 Year-2019 Thana- PATRAKARNAGAR District- Patna

Shailesh Kumar @ Chotu S/O Ramadhar Singh R/o Mohalla- Hanuman
Nagar, P.S.- Patrakar Nagar, District- Patna

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madahav Raj, Advocate

For the Opposite Party/s : Mr. Lakshmi Kant Sharma, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 23-02-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be removed within four weeks of start of normal functioning of the physical court.

Petitioner seeks bail in connection with Patrakar Nagar P.S. Case No. 635 of 2019 registered for the offences punishable under Sections 379 of the Indian Penal Code.

According to prosecution case, the informant in his application stated that on 17.08.2019 in the evening his Scorpio vehicle, was parked by Abhishek Kumar in vacant land near house of Pahalwan Ji, Janki Nagar, It is alleged that when in the morning he went to look his vehicle he found vehicle missing and broken pieces of glass found there. He searched for his vehicle, GPS was installed in his vehicle and he tried to get



location, location was showing Hajipur, he went to Hajipur, but no whereabouts of vehicle came to his knowledge and after Hajipur no location was traced.

Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. He further submits that petitioner is not named in the F.I.R. and the name of the petitioner has transpired only on the basis of the call details. He further submits that nothing has been recovered from conscious possession of the petitioner. The petitioner is in custody since 25.06.2021.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail on the ground that the petitioner is the main culprit who was negotiating the matter with the owner of the vehicle and it appears from the case diary that the prosecution has recorded the conversation between the petitioner and co-accused namely Abhishek Kumar.

Considering the aforesaid facts and circumstances, I am not inclined to grant the privilege of bail to the petitioner and accordingly, the same is rejected.

(Rajesh Kumar Verma, J)

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