

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56530 of 2022

Arising Out of PS. Case No.-268 Year-2022 Thana- SIDHWALIYA District- Gopalganj

Jitendra Kumar Singh, aged about 32 years, Male, Son of Krishna Singh
Resident of Village- Larauli, P.S- Sidhwaliya, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Bimlesh Kumar Pandey, Advocate
For the State	:	Mr. Atul Chandra, APP

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date : 23-12-2022

The matter has been heard through video conferencing.

2. Heard Mr. Bimlesh Kumar Pandey, learned counsel for the petitioner and Mr. Atul Chandra, learned Additional Public Prosecutor (hereinafter referred to as the 'APP') for the State.

3. The petitioner who is in custody seeks bail in connection with Sidhwaliya P.S. Case No. 268 of 2022 dated 23.07.2022 instituted under Sections 420, 413, 414, 468, 469, 470 and 471/34 of the Indian Penal Code.

4. The allegation against the petitioner is that from his house, there has been recovery of a stolen Alto car.

5. Learned counsel for the petitioner submitted that the recovery has been made from some other place and later on it has been shown that it has been recovered from the house of the



petitioner. In support thereof, learned counsel submitted that the FIR and seizure list has been sent to the Court on 25.07.2022 whereas the seizure is said to have taken place on 23.07.2022 i.e., beyond 24 hours. Further, it was submitted that the petitioner has no criminal antecedent and is in custody since 25.07.2022.

6. Learned APP submitted that not only there has been recovery of the Alto vehicle but also a stolen Apache motorcycle from the house of the petitioner and the delay is not so much that it will be fatal to the prosecution. Moreover, it was submitted that the petitioner has also confessed his guilt both regarding stealing the vehicle and the motorcycle.

7. Having considered the submissions of learned counsel for the parties and taking into account that there has been recovery of the stolen vehicle and also a motorcycle from his house, the Court is not inclined to enlarge the petitioner on bail.

8. Accordingly, the application stands dismissed.

(Ahsanuddin Amanullah, J)

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