

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36491 of 2024

Arising Out of PS. Case No.-372 Year-2023 Thana- MITHANPURA District- Muzaffarpur

Rakesh Kumar, Aged about 24 years, Male, Son Of Surendra Poddar Resident
Of Mohalla - Mithanpura Das Colony, P.S. - Mithanpura, District -
Muzaffarpur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nachiketa Jha, Advocate

For the Opposite Party/s : Mr.Umesh Lal Verma, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 20-05-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Mithanpura P.S. Case No. 372 of 2023 instituted for the offences
punishable under Sections 461, 379, 411, 413, 414 of the Indian
Penal Code.

3. As per the prosecution case, mobile phones and other
accessories were stolen from the shop of the informant.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Petitioner is
not named in the F.I.R. He has falsely been implicated in this case
due to dirty village politics. The petitioner was not apprehended on
the spot. He is in judicial custody since 30.08.2023.



5. Learned APP for the State has vehemently opposed the prayer for bail.

6. From perusal of the F.I.R., seizure list and impugned order dated 15.03.2024, it appears that on the basis of written report of the informant F.I.R. registered against unknown persons. During investigation, 25 stolen articles including several mobiles, laptop and one gold earring have been recovered from the possession of the petitioner. There is no any explanation on behalf of the petitioner for recovery of the stolen articles. Petitioner has also two criminal antecedents of similar nature of the offence.

7. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, I am not inclined to grant bail to the petitioner.

8. Prayer for regular bail of the petitioner is hereby rejected.

9. However, learned trial Court is directed to conclude the trial within six months from the date of receipt of the order and if not concluded, learned trial Court shall grant bail to this petitioner.

(Ramesh Chand Malviya, J)

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