

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5973 of 2015

Arising Out of P.S. Case No. -105 Year- 2014 Thana -JAMALPUR District- MUNGER

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Shiv Yadav @ Shiva Yadav, S/O Dinesh Yadav, Resident of Vill - Singhia,
P.S.- Naya Ram Nagar (Safiasarai O.P) Distt- Munger

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Suman Kumar Mishra, Advocate.

For the Opposite Party/s : Mr. Vinod Shankar Modi, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 24-03-2015

Heard both sides.

The petitioner seeks bail in a case under Sections
395/397 of the Indian Penal Code.

Learned counsel for the petitioner submits that the
petitioner is not named in the F.I.R. Name of the petitioner figured
in the case in the confessional statement of a co-accused. From the
house of the petitioner, one water pot, charger, three pairs of silver
ornaments, chain and one cell were recovered and the same are
said to have been duly identified by the informant in the T.I.P. It is
submitted that other co-accused persons, namely, Shashi Kumar,
Pawan Kumar and Devendra Kumar @ Devendra Mahto @
Mamu have already been granted bail.

From the possession of Vivek Kumar Yadav @
Tunur Yadav, some looted articles were also recovered, but it

appears that those recovered articles were not put on T.I.P. nor identified by the informant.

It appears that Sant Lal Pandit, the informant of the case, duly identified all the articles recovered from the house of the petitioner. On the water pot recovered from the house of the petitioner, the name of Sant Lal Pandit was inscribed.

Having considered the fact that the looted articles were recovered from the house of the petitioner and same were duly identified by the informant, hence, I am not inclined to enlarge the petitioner on bail in S.T. No. 902/14, arising out of Jamalpur P.S. Case No. 105/2014. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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