

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18769 of 2015

Arising Out of PS.Case No. -14 Year- 2015 Thana -LALIT NARAYAN UNIVERSITY District-
DARBHANGA

- =====
1. Gauri Shankar Sah S/o Late Rajendra Sah, resident of Village-Ramnagar, P.S.-Gayaghar (Benibad O.P.), District-Darbhang.
 2. Akhilesh Sah S/o Sri Lalo Sah, resident of Village-Raghunathpur, P.S.-Paru, District-Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Prasad Singh, Sr. Adv.
Mr. Sukhir Kumar Jha

For the Opposite Party/s : Mr. R.S.Choudhary(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 02-07-2015

Heard both sides.

As prayed for, learned counsel for the petitioners is permitted to make necessary correction in the address of the petitioners.

The petitioners seek bail in a case under section 395 and 412 of the Indian Penal Code.

The petitioners are not named in the F.I.R. The names of the petitioners for the first time sprang up in the confessional statement of co-accused Bishnu who confessed his guilt and disclosed that he sold the looted articles in the shop of the petitioners. From perusal of paragraph 116 of the case diary, it

appears that the informant gave list of looted ornaments but did not show any sign of marks for identification. The recovered ornaments from the shop of the petitioners were also put on T.I. parade but some of them are said to have been identified. It is submitted that Gauri Shankar Sah was also made accused in Keoti P.S. Case no. 175 of 2014 on the basis of the confessional statement of Bisnu Deo Sahni but he has already been allowed bail vide order passed in Criminal misc. No. 20318 of 2015.

It is submitted that the petitioner has a jewellery shop and he had no knowledge about the articles to be looted articles.

Considering the facts and circumstances aforesaid and that the petitioners are in jail for about five months the petitioners above named are directed to be enlarged on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Darbhanga in connection with L.N.M.U. P.S. Case No. 14 of 2015.

(Prabhat Kumar Jha, J)

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