

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.23386 of 2015

Arising out of PS.Case No. -257 Year- 2014 Thana -PHULPARAS District- MADHUBANI

GAURI SHANKER GAUTAM @ GAUTAM YADAV @ GAURI SHANKAR YADAV, Son of Raj kumar Yadav, resident of Sisawa Barhi, P.s - Phulpras, District - Madhubani.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Gagan Deo Yadav, Advocate.

For the Opposite Party : Mr. Ajay Kumar No.2(App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 19-08-2015 The petitioner is languishing in custody since 09.12.2014 in connection with Phulpras P.S. Case No. 257 of 2014 for the offences instituted under Section 395 of the I.P.C.

Heard learned counsel for the petitioner and learned counsel for the State.

The prosecution story, in brief, is that on 20.09.2014 the informant alongwith Daya Shankar Mishra were coming from Katihar by Scorpio bearing Registration No. BR01 PD 4588 and they were reached at N.H. 57 Phulparas at about 9.15 P.M. and taking tea and betel on the shop of Rabindra Kumar, in the meantime, three boys came from Apache Motorcycle without registration number and touched the pistol and snatched away key



of the Scorpio and also snatched the Samson Mobile of Daya Shankar Mishra and 8-9 miscreants who were present at P.O. helped the three miscreants in snatching of vehicle and mobile and fled away inside of Supaul. Thereafter, local shop keeper said that all the three persons are local. It is further stated that local shopkeeper also said the name of miscreants who committed occurrence. The name of petitioner and other was disclosed by the local shopkeeper just after occurrence.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 09.12.2014 and the charge sheet has been submitted in the present case. The name of the petitioner has appeared in the present case on the basis of neighbouring shopkeeper who raised suspicion against this petitioner for being involved in commission of the present crime and except for suspicion there is no other material to suggest his implication in the present case. There is no recovery of any incriminating article from possession of the petitioner.

On behalf of the State it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like

amount each to the satisfaction of the learned S.D.J.M.,
Jhanjharpur in connection with Phulpras P.S. Case No. 257 of
2014.

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(Sudhir Singh, J)