

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.24026 of 2015

Arising out of PS.Case No. -507 Year- 2013 Thana -BARAUNI District- BEGUSARAI

Saket Kumar @ Chhotu Kunwar @ Chhotu Kumar @ Chhotu Singh, S/o
Sri Lallan Kunwar, resident of Village Saidpur, P.S. Gopalpur, District
Bhagalpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Sandip Kumar Gautam, Advocate.

For the Opposite Party : Mr. Kanhaiya Kishore(App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 06-07-2015 The petitioner is languishing in custody since
15.10.2014 in connection with Barauni P.S. Case No. 507 of 2013
for the offences instituted under Section 394 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 06.10.2013 at
about 5.45 P.M. the informant Sunil Yadav, who is working as
Munsi at Barauni Fuels was sitting at Petrol Pump alongwith nojal
man Dinesh Rai, Sudhir Rai, in the meantime, one black old
model bullet motor cycle came there. Three persons were sitting
on the motor cycle, they demanded petrol for Rs. 50/- from the
nozal man Dinesh Rai and Dinesh Rai fill the petrol Rs. 50/- in the



meantime, two persons who were sitting on the motor cycle told Dinesh Rai, where is toilet. Dinesh Rai told, toilet is situated in the back of the counter. One person also came there at water pump and washed his hand in the meantime two persons, one person was tall and fair complex armed with pistol entered into the counter of petrol pump and pointed pistol upon the informant and Dinesh Rai, Sudhir Rai had demanded the ransom. He locked the counter room and assaulted with fist and slap and looted Rs. 55 thousand/60 thousand from the counter of the petrol pump also looted the mobile and locked the counter room and fled away from the premises of the petrol pump. In the meantime, one truck came there, informant raised alarm, driver of the truck came at counter and opened the door of the pump counter. The informant gave his fardbeyan before the S.H.O., Barauni and on that basis F.I.R. instituted against three unknown persons.

It has been submitted on behalf of the petitioner that the petitioner is not named in the F.I.R. It is further submitted that nothing incriminating is said to have been recovered from possession of the petitioner nor the petitioner has been put on T.I. P. The name of the petitioner has appeared in the present case on the basis of confessional statement of the petitioner. Further it is submitted that the petitioner is in custody since 15.10.2014. It is

further submitted that the petitioner may be released on bail after completion of fifteen months in custody.

On behalf of the State, it has been submitted that name of the petitioner has come in course of investigation and the petitioner is habitual offender and as many as eight cases of similar nature are pending against him.

Considering the aforesaid facts and circumstances, let the petitioner above named be released on bail after completion of fifteen months in custody from 15.10.2014 on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Begusarai, in connection with Brauni P.S. Case No. 507 of 2013.

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(Sudhir Singh, J)