

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.37967 of 2015

Arising Out of PS.Case No. -196 Year- 2015 Thana -MAHUA District- VAISHALI(HAJIPUR)

1. Sunil Kumar Son of Shri Nageshwar Rai Resident of village - Gorigama,
P.S. + P.O. Mahua, District - Vaishali

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dharmesh Kumar

For the Opposite Party/s : Mr. Sahin Begum(App)

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 02-09-2015 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is languishing in jail since 22.04.2015 in
a case registered for offences punishable under Sections 467, 468,
471, 420/120 (B), 413 and 414 of the Indian Penal Code.

The prosecution case as set out in the self statement of
one Anil Kumar, S.H.O., Mahua District recorded at 10.30 A.M.,
is that when the informant along with police force proceeded for
raid against criminal at 9.00 P.M. upon information received by
the police party that criminals are coming from Hazipur, Mahua
road near Jai Hanuman Hotel. Some persons from white bolero
bearing No. JHX3 8963 started fleeing after seeing the police
party and one person was apprehended by the police. The



apprehended person disclosed his name as Arun Kumar and he disclosed that he along with others were involved in committing theft of Bolero and named his accomplice. After stealing whereafter getting it repaired in garage got them disposed to customer. The apprehended person further informed that coffee colour Scorpio has been kept at the house of the petitioner, bearing No. BR-06AA 3186 and another white colour Bolero has been kept at the house of Nagina Rai who has purchased from Tuntun, Dablu and Avinash. Another white colour Bolero bearing No. BT-30J-1120 has been sold to Dharmendra Kumar. The white colour bolero was seized in presence of the witnesses, who put their signature on seizure list and a copy of the same was handed over to Arun Kumar.

The informant with police force further seized another bolero from the house of Parmatma Rai on the basis of confessional statement of Arun Kumar. The informant further conducted raid at the house of Sunil Kumar (petitioner) and seized stolen Scorpio bearing No. BR-06AA 3186, which was kept for sale and when he tried to flee away, he was apprehended. The informant further claimed to have seized Bolero from the house of Nagina Rai, another Bolero from the house of Mahesi Rai and seizure list were prepared in presence of accused persons and

independent witness. Nagina Rai succeeded in escaping.

It has been submitted by the learned counsel for the petitioner that the name of the petitioner surfaced on the statement of another co-accused Arun Kumar, who has since been granted privilege of bail vide Cr. Misc. No. 35482/2015 dated 21.08.2015. I do not propose to take a different view as allegations are of similar nature.

In view of the facts and circumstances, let the petitioner, namely, Sunil Kumar 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 learned Chief Judicial Magistrate, Vaishali in connection with Mahua P.S.Case No. 196/2015.

(Nilu Agrawal, J)

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