

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.49071 of 2014**

Arising Out of PS.Case No. -32 Year- 2014 Thana -KESARIA District-  
EASTCHAMPARAN(MOTIHARI)

=====

Shambhu Ram

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr. Anil Kumar

For the Opposite Party/s : Mr. Ram Naresh Rai (A.P.P.)

=====

**CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI**  
**ORAL ORDER**

03    01-04-2015                      Heard learned counsel for the petitioner as well as  
  
learned Additional Public Prosecutor.

Unknown miscreants have looted away 200 bags of  
sugar laden over a truck after incepting the truck by means of  
Scorpio. Out of 200 bags, 197 bags of sugar was recovered from  
the deserted house of Ashok Singh. It is also evident that four  
accused persons along with Scorpio vehicle were apprehended  
(Para-42) whereafter their inculpatory extra-judicial confessional  
statement was recorded wherein the name of petitioner also  
cropped up. It is evident from Para-48 of the case diary that  
petitioner along with others were apprehended by the police,  
brought to the police station and then informant (driver) and  
Khalasi were called upon to identify and accordingly, they  
identified. For the present, the aforesaid illegal procedure adopted

by the I.O. gives a cogent ground to the petitioner to be released on bail.

That being so, petitioner **Shambhu Ram** is directed to 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 Mr. Dwijendra Kumar, Judicial Magistrate, 1<sup>st</sup> Class, East Champaran at Motihari/ successor in office in connection with Kesariya P. S. Case no.32 of 2014.

Vikash/-

(Aditya Kumar Trivedi, J)

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|