

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47879 of 2014

Arising Out of PS.Case No. -51 Year- 2014 Thana -TISIAUTA District- VAISHALI(HAJIPUR)

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ASHOK PASWAN SON OF JAI MANGAL PASWAN RESIDENT OF
VILLAGE- NARI KHURD TARAN, P.S.- TISIAUTA, DIST.-
VAISHALI.

.... PETITIONER/S

VERSUS

THE STATE OF BIHAR

.... OPPOSITE PARTY/S

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Appearance:

For the Petitioner/s : Mr. Nityanand, Adv.

For the Opposite Party/s : Mr. Renu Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

2 17-04-2015

Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor.

On getting confidential information house of
Chandra Madhav Singh @ Pappu was raided and during course
thereof, stolen motorcycle was recovered. Subsequently,
thereof, aforesaid Chandra Madhav Singh @ Pappu was
apprehended who during course of inculpatory extra judicial
confessional statement confessed to have another stolen
motorcycle at the house of one Phudeni Paswan wherefrom the
same was seized. Furthermore, one motorcycle was seized from
the house of the petitioner.

From the fardbeyan it is apparent that petitioner
was not at all present nor there happens to be disclosure at the
end of the prosecution that he slipped during course of raid. So
more keeping of aforesaid motorcycle by the Chandra Madhav
Singh @ Pappu in absence of petitioner will not drag him within
the purview of Section 414 of the IPC. Furthermore, petitioner
has got no criminal antecedent.

That being so, petitioner Ashok Paswan is directed to be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each, to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Tisiauta P.S. Case No.51 of 2014 in the event of his arrest / surrender within four weeks in terms of condition so laid down under Section 438(2) Cr.P.C.

(Aditya Kumar Trivedi, J.)

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