

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.49313 of 2014

Arising Out of PS.Case No. -256 Year- 2014 Thana -SAHEBGANJ District- MUZAFFARPUR

Bachchan Raut S/O;Sita Ram Raut resident of Village -Navanagar  
Nizamat,P.S-Sahebganj,District-Muzaffarpur

.... .... Petitioner/s

Versus

The State of Bihar

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

Appearance :

For the Petitioner/s : Mr. Nityanand

For the Opposite Party/s : Mr. Chandra Bhushan Prasad (App)

CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR  
TRIVEDI  
ORAL ORDER

3 26-03-2015 Heard learned counsel for the petitioner as well as  
learned Additional P.P.

Learned counsel for the petitioner seeks correction in the  
prayer portion and allowed.

A theft was committed in the house of the informant in  
the night of 29/30<sup>th</sup> August, 2014 wherein the petitioner was  
identified, while others were not identified. It is further apparent  
from the case diary that raid was conducted at his house on 30<sup>th</sup>  
August, 2014 wherefrom the items in terms of seizure list were  
seized.

It has been submitted on behalf of the petitioner that he is  
being victimised otherwise there was no occasion for the

petitioner to be present in the house of the informant for committing theft without concealing his identity on account of being co-villager. Furthermore, after recovery of petty items, which is expected to be present in all hence it was never been put on TIP though charge sheet had already been submitted. Further submission is that petitioner happens to be under custody since 31.08.2014.

Learned Additional P.P. opposes the prayer of the petitioner but fairly concedes over the status of petitioner as well as non conduction of T.I.P. of the recovered articles.

Accordingly, petitioner, Bachchan Raut 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 Sub Divisional Judicial Magistrate, Muzaffarpur west in connection with Sahebganj P. S. Case No. 256/2014.

**(Aditya Kumar Trivedi, J)**

Sudha/-

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