

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21129 of 2015

Arising Out of PS.Case No. -39 Year- 2015 Thana -PIPRA District- SUPAUL

1. Budur Mandal @ Vijay Mandal, Son of Satyadev Mandal, Rajesh Yadav,
2. Rajesh Yadav, Son of Dani Yadav, Both resident of Village - Ramnagar, Police Station - Pipra, District - Supaul.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.22588 of 2015

Arising Out of PS.Case No. -39 Year- 2015 Thana -PIPRA District- SUPAUL

1. Raj Kumar Yadav Son of Nunulal Yadav resident of Gouravgarh Ward no. 5, Police Station & District- Supaul.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.21129 of 2015)

For the Petitioner/s : Mr. Arun

For the Opposite Party/s : Mr. Aslam Ansari(App)

(In Cr.Misc. No.22588 of 2015)

For the Petitioner/s : Mr. Arun

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

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 14-07-2015 As these cases arises out of Pipra P.S.Case No. 39 of 2015, they have been heard together and are being disposed of by this common order.

Heard learned counsel for the petitioners and learned A.P.P. for the State.

The petitioners are in custody in a case registered under Sections 379, 411, 413, 414 of the Indian Penal Code.

It is alleged by the informant, S.I. of Pipra police Station, that on 31.3.2015 at 4 A.M. he received telephonic information that the petitioners and co accused Vijay Mian has brought big-big Solar plate and uploading the same near the house of co-accused Vijay Mian. On information the informant along with other police force reached at the spot and arrested the petitioners and co-accused Rajkumar Yadav, who disclosed that himself as owner of the alleged vehicle and further said that the person escaped away is Vijay Mian. It is further alleged that 5th person claims himself to be the driver of the alleged vehicle. It is also alleged that 3 big loaded Solar plate found on the vehicle and on confession of co-accused Rajkumar Yadav two Solar plate has been recovered from the inside the house of co accused Vijay Mian. It is also alleged that one wheat thrasher machine also recovered from the house of co accused Vijay Mian. The informant further alleged that on confession of Co-accused Rajkumar Yadav one Solar plate has been found inside the house of Badur Mandal. During search three thrasher machines and one pumping set have also been found inside the house of Badur Mandal. In presence of independent witnesses seizure list was

prepared and recovered articles were brought to the police station.

It has been submitted on behalf of the petitioners that as per FIR the solar lights are said to have been recovered. It is further submitted that the petitioners have been made accused due to mistake of fact. It is further submitted that the petitioners are in custody since 1.4.2015. It has been submitted on behalf of the petitioners that charge sheet has been submitted in the present case. It is further submitted that the petitioners may be released after completion of six months in custody from 1.4.2015.

On behalf of the State it has been submitted that the petitioners are named in the FIR.

Considering the facts aforesaid, let above named petitioners be released, after completion of six months in custody from 1.4.2015, on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Sri J. Kumar, learned Judicial Magistrate, 1st Class, Supaul in Pipra P.S.Case No.39/2015.

(Sudhir Singh, J)

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