

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56319 of 2015

Arising Out of PS.Case No. -79 Year- 2015 Thana -TARABARI District- ARRARIA

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Anil Kumar Singh son of Camaru Singh Resident of village - Khari Tola,
Dabhara, P.S. - Tarabari, Dist - Araria.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramesh Kumar Singh

For the Opposite Party/s : Mr. R.B. Roy Raman (App)

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

2 16-12-2015 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner is accused in connection with Tarabari
P.S. Case No. 79 of 2015 registered under Sections 457, 380/34 of
the I.P.C.

The allegation of informant, Ajit Kumar Mandal, is
that on 23.09.2015 at about 8.30 pm. after locking the shop, he
went to his house for dinner. When he returned at about 1.00 am.
and opened the door of shop, the articles of shop were found
scattered and mobile sets of Lava, J.I.V.I, Lemon, Spice, Zen
Company and ear phone were stolen. In the evening Rajesh Kumar
and petitioner, Anil Kumar Singh, were seen in suspicious
condition. On query, shopkeeper Kishan Kumar also informed that

both said persons were seen in night behind the shop.

Learned counsel appearing on behalf of the petitioner submits that it would appear from the F.I.R. that petitioner and one Rajesh Kumar Singh were seen moving at the back of the shop by Kishin Kumar but he, in his statement under section 161 of the Cr. P.C., does not disclose the name of the petitioner and co-accused Rajesh Kumar moving in the back of the shop, as detailed in paragraph no.7 of the case diary. Moreover, the Police apprehended the petitioner and got recorded his confessional statement showing his involvement and recovery four mobile sets of the family of the petitioner as theft mobiles. It is also submitted that petitioner has no criminal antecedent and is in custody since 23.09.2015.

Having considered the facts and circumstances of the case, let the above named petitioner 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 Judicial Magistrate, 1st Class, Araria in connection with Tarabari P.S. Case No. 79 of 2015. Out of two sureties, one surety must be parents or close relatives of the petitioner.

(Rajendra Kumar Mishra, J)

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