

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28075 of 2015

Arising Out of PS.Case No. -121 Year- 2014 Thana -MOKAMA District- PATNA

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1. Mantosh Kumar @ Subodh Kumar S/o Paras Ram Resident of Village Panchmahala, P.S. Mokma, District Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gouranga Chatterjee

For the Opposite Party/s : Mr. B.Ram (App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

4 13-10-2015 Heard learned counsel for the petitioner as well as learned Additional Public Prosecutor for the State.

Petitioner is not named but in course of investigation, he was arrested in another case and thereafter, his confessional statement was recorded in the aforesaid case. The house of the petitioner was raided and some stolen articles were recovered. The aforesaid seized articles were put on Test Identification Parade to which informant claimed to have identified.

Learned counsel for the petitioner submits that prior to aforesaid raid and recovery, the house of the petitioner was searched in the present case on 29.06.2014 but nothing was recovered from the house of the petitioner which is evident from perusal of para-59 of the case diary. It is further contended by him

that so far as alleged recovery is concerned, the same is nothing but only a high-handedness of the police. It is further contended by him that so far as criminal antecedent of the petitioner is concerned, earlier petitioner was made accused in two cases in which he got acquitted and when he was arrested subsequently, he was remanded in almost all the cases which have been disclosed at para-3 of the petition.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioner 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 Sri Ashutosh Kumar, Judicial Magistrate 1st Class, Barh, Patna in connection with Mokama P.S. Case No. 121 of 2014.

(Hemant Kumar Srivastava, J)

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