

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16526 of 2015

Arising Out of PS.Case No. -123 Year- 2014 Thana -SITAMARHI District- SITAMARHI

Dabla Raut son of Chhote Raut resident of Mohalla - Court Bazar, Police Station - Sitamarhi, District - Sitamarhi.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

With

Criminal Miscellaneous No.19470 of 2015

Arising Out of PS.Case No. -123 Year- 2014 Thana -SITAMARHI District- SITAMARHI

Raju Kumar @ Gajni @ Raju son of Madan Chaudhry, resident of Mohalla- Punaure Purbi Ward No. 8, P.S.- Sitamarhi, District- Sitamarhi

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

(In Cr.Misc. No.16526 of 2015)

For the Petitioner : Mr. Birendra Kumar, Advocate

For the Opposite Party: Mr. Abhay Kumar Rai, APP

(In Cr.Misc. No.19470 of 2015)

For the Petitioner : Mr. Bimal Kumar, Advocate

For the Opposite Party: Mr. Sanjay Kr. Tiwary No.1, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 10-06-2015 Heard learned counsel for the petitioners and learned APP for the State.

The petitioners of both these applications seek bail in connection with Sitamarhi P.S. Case No.123 of 2014 for the offence punishable under Section 392 of the Indian Penal Code.

The prosecution story, in brief, is that on 08.02.2014 the informant proceeded to purchase animal at Sitamarhi taking cash



amounting to Rs.1,22,000/-. The amount was kept with his friend Surendra Yadav. On the same day at about 3.45 A.M., he boarded on a rickshaw for Goshala Chowk. The rickshaw-puller diverted his rickshaw from main road to a narrow lane. On query, he told him that this is the best way. As soon as his rickshaw proceeded towards the lane, it started to ring well on which two other miscreants came out and looted his cash amount as well as his Samsung mobile. With the help of other traders, the rickshaw-puller was caught at the spot and thereafter he disclosed his name as Bikau Raut.

It has been submitted on behalf of the petitioners that the petitioners are not named in the first information report. It has further been submitted that there is no recovery of any incriminating articles from the possession of the petitioners. It has further been submitted that the petitioners have not been put on test identification parade and they are in custody since 22.01.2015 and 06.06.2014, respectively.

On behalf of the State it has been submitted that the names of the petitioners have come during course of investigation.

Considering the aforesaid facts and circumstances of the case, let the petitioners of both the applications, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees

ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Sitamarhi, in connection with Sitamarhi P.S. Case No.123 of 2014.

(Sudhir Singh, J)

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