

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.25322 of 2015

Arising out of PS.Case No. -36 Year- 2015 Thana -SALKHUA District- SAHARSA

Indal Kumar @ Indal Yadav, Son of Sri Sulen Prasad Yadav, resident of
Village - Goshpur, P.S. - Salkhua, District - Saharsa.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

Appearance :

For the Petitioner : Mr. Diwakar Prasad Singh, Advocate.

For the Opposite Party : Mr. Renu Kumari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 21-07-2015 The petitioner is languishing in custody since 12.03.2015
in connection with Salkhua P.S. Case No. 36 of 2015 for the
offences instituted under Section 394/34 of the I.P.C.

Heard learned counsel for the petitioner and learned
counsel for the State.

The prosecution story, in brief, is that on 5.3.2015 the
informant had gone to drop Sri Lalo Sah, son of Sita Ram Sah, to
his residence at village Goriyari under District- Saharsa & was
returning to Bakhtiyarpur. As soon as the informant was 150
Meter away from Sainee Tola Bridge, situated at Chowk, then he
saw three persons coming by riding a Pulsur Motorcycle and told
the informant to stop the vehicle and assaulted the informant by
Fivre stick and snatched two Mobile Phones from the pocket of



the informant among one was of Lava Company skin touch Black colored in which reliance SIM was inserted bearing its No.9608041871 another Mobile set of Nokia company in which Vodaphone SIM was inserted bearing its No.7808601431. Besides the Identity Card of College and Voter Identity Card, Student Identity Card of residential School Amarpur, Pen Slip (P.D.S.) appertains to January and February 2015 and Rs.4500/Cash. It is further alleged that all the three persons were talking in local language and had wore paint and shirt and their heights were 5' 2" to 5' 5". Accused persons snatched Hero Splendor Pro of Gray coloured bearing its No.BR-10R-7935. It was alleged further that the informant was chased by assaulting from Back and chased to 100 Meter and thereafter the accused persons fled away towards Goriyari. It was alleged that the informant informed to his brother at Bakhtiyarpur and then returned to Village Goriyari to know about the occurrence but the informant could not receive any information about the same. The informant came to know that one Kailash Singh son of Sarjug Prasad Singh, resident of village Bahuarba, had passed through the same route and was also assaulted by three accused persons on Motorcycle and further he was also robbed. Then the informant himself contacted with Kailash Singh who told that while he was returning by a tractor

then he was assaulted and was robbed near Panchayat Bhawan and his Mobile phone bearing its No.8252107377 and Rs.250/ was assaulted.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 12.03.2015 and the charge sheet has been submitted in the present case. It is further submitted that the petitioner has got no criminal antecedent. It is further submitted that the petitioner is not named in the F.I.R. nor there is recovery of any incriminating article from possession nor the petitioner, he has not been put on T.I. Parade.

On behalf of the State it has been submitted that the petitioner is not named in the F.I.R. and his name has come in course of investigation.

Considering the aforesaid facts and circumstances, let the petitioner above named, 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 the learned J.M. Ist Class, Saharsa, in connection with Salkhua P.S. Case No. 36 of 2015.

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(Sudhir Singh, J)