

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.47733 of 2015

Arising Out of PS.Case No. -125 Year- 2014 Thana -KALYANPUR District- SAMASTIPUR

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1. Shatrughan Kumar @ Sonu Singh son of Sri Birendra Kumar Singh
Resident of Village - Sirsa, P.S. - Muffasil Motihari, District - East
Champanan. Petitioner/s

Versus

1. The State of Bihar. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar No.III

For the Opposite Party/s : Mr. Bhanu Pratap Singh(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN

SHARMA

ORAL ORDER

3 08-02-2016

Heard learned counsel for the petitioner and learned

Additional Public Prosecutor representing the State.

The petitioner seeks bail in connection with Kalyanpur
P.S. case No. 125/ 2014 registered for the offences punishable
under sections 395 and 412 of the Indian Penal Code.

Allegedly, a Bolero pick-up van bearing registration
No. BR-33J- 7989 loaded with 1550 cocks was looted by 5-6
unknown miscreants after dropping the driver and other staff.
During investigation the looted Bolero and cocks were recovered
from the poultry farm and Parti land of the petitioner.

Submission is of false implication and that nothing has
been recovered from the conscious possession of the petitioner,
petitioner is not the owner of any poultry farm, he is not named in
the first information report, he has not been put on test
identification parade though he is in custody since 29.06.2015 and
other accused persons, namely, Rajesh Prasad and Md.

Shahnawaz, who were caught on the spot with the looted article, have already been allowed bail by different benches of this court as such the petitioner deserves sympathetic consideration to which learned APP opposed by referring paragraph 9 of the case diary and, further, that the petitioner has got criminal antecedent.

In the facts and circumstances stated above, considering that the petitioner was not caught on the spot with the looted vehicle and other accused have been allowed bail, the petitioner, above named, is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Samastipur in connection with Kalyanpur P.S. case No.125/2014, subject to the conditions that one of the bailors must be near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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