

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26433 of 2016

Arising Out of PS.Case No. -194 Year- 2015 Thana -PAROO District- MUZAFFARPUR

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1. Rakesh Kumar Son of Ravindra Mahto
2. Chandan Kumar @ Chhota Chandan Son of Kanhai Sah, Both resident of
Village Ghataro, P.S. Kartahan Dist-Vaishali

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan No.II, Advocate

For the Opposite Party/s : Mrs. Renu Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 26-08-2016 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners are languishing in custody since
04.01.2016 in connection with Paroo P.S. case No.194 of 2015 for
the offences instituted under Sections 395 of the Indian Penal
Code.

The prosecution story, in brief, is that on the alleged
date and time of occurrence, the informant, who was driver of
truck bearing No.BR-01-GE-8900, proceeded from Patna to East
Champan carrying iron rod and when he reached near Jalilnagar,
one white colour Scorpio vehicle overtook his truck and forcibly
stopped his truck. Five persons were in the Scorpio vehicle and
one person came from said vehicle and asked about truck

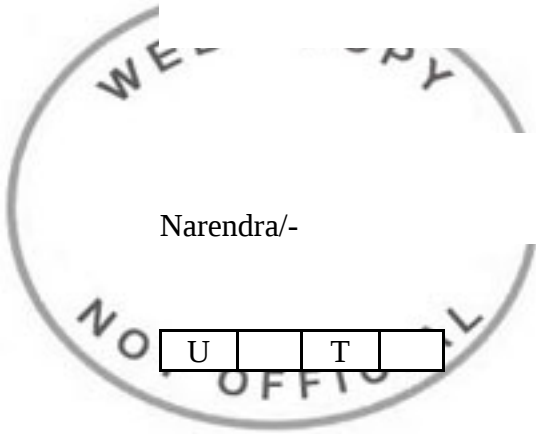
documents, which he handed over thinking that they belong to Checking Staff of the Transport Department. Then the informant was assaulted by the miscreants and his mobile was snatched and one miscreant took key of the truck. The informant was tied and thrown on the road. Thereafter somehow he managed to reach Saraiya Police Station and narrated the story to the police.

It has been submitted on behalf of the petitioners that the petitioners are in custody since 4.1.2016 and the charge sheet has been submitted in the present case. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners are not named in the F.I.R. Their name has come on the basis of confessional statement of co-accused. The petitioners have not been put on Test Identification Parade. There is no recovery of any incriminating article from the possession of the petitioners. The other co-accused have been granted bail vide Cr.Misc.No.18166 of 2016 and Cr.Misc.No.20496 of 2016.

On behalf of the State, it is submitted that the petitioners are not named in the F.I.R.

Considering the aforesaid facts and circumstances, it is directed that the petitioners above named be released on bail on furnishing bail bond of Rs. 10,000/-(Ten thousand) each with two sureties of the like amount each to the satisfaction of Sri Aditya

Kumar Singh, Judicial Magistrate, 1st class, Muzaffarpur in connection with Paroo P.S. case No.194 of 2015.



(Sudhir Singh, J)