

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37198 of 2016

Arising Out of PS.Case No. -391 Year- 2016 Thana -KATIHAR District- KATIHAR

1. Moti Choudhary Son of Shankar Choudhary, resident of Village-Shantinagar Ghoghi, P.S.- Jikhabari, District- Sahebganj (Jharkhand).

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Jha, Advocate

For the Opposite Party/s : Smt Pushpa Sinha, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 27-10-2016

Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case instituted for the offences under Section 395 of the I.P.C. as well as Sections 25(1-b)a, 27 of the Arms Act and Sections 3/4 of the Explosive Substance Act.

The prosecution story, in brief, is that on the alleged date and time of occurrence the petitioner assisted other co-accused to help while crossing the river by providing his own boat and further to provide motorcycle in alleged dacoity committed in jewellery shop in broad day light in Katihar Town, wherein the accused persons looted gold and silver ornaments and cash amounting Rs.1,12,50,000/-.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 20.6.2016 and the charge sheet has been submitted in the present case. There is no allegation of

tampering of witnesses alleged against the petitioner. The petitioner is not named in the F.I.R. His name has come on the basis of confessional statement of the co-accused. He has not been put on Test Identification Parade. It is further submitted that the petitioner may be released after completion of six months in custody from 20.6.2016.

On behalf of the State, it is submitted that the petitioner is not named in the F.I.R. There is one more case pending against the petitioner. A motorcycle without any number plate is said to have been recovered from the front of the Dalan of the petitioner.

Considering the aforesaid facts and circumstances, it is directed that the petitioner above named be released on bail after completion of six months in custody from 20.6.2016 on furnishing bail bond of Rs. 10,000/-(Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Katihar in connection with Katihar (Town) P.S. case No.391 of 2016.

(Sudhir Singh, J)

Narendra/-

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