

IN THE HIGH COURT OF JUDICATURE AT PATNA**Criminal Miscellaneous No.40617 of 2016**

Arising Out of PS.Case No. -317 Year- 2015 Thana -MASRAKH District- SARAN

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1. Krishna Rai Son of Tona Rai, Resident of Village- Baluhi, Police Station-
Marhowrah, District- Saran. Petitioner/s

Versus

1. The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar Srivastva, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI

ORAL ORDER

4 14-12-2016 Heard learned counsel for the petitioner as well as
learned APP.

Unknown miscreants plundered upon the informant
and during course thereof, taken away the articles including
motorcycle as detailed in the written report whereupon instant case
has been registered against unknown.

During course of investigation the looted mobile was
put on surveillance and as per paragraphs 56, 59, 62 and 69 of the
case diary, it is evident that the same was used by Sandeep and
further, he indulged in conversation with other co-accused
including the petitioner.

Sandeep was arrested and during course of his
inculpatory extra judicial confessional statement named the
petitioner including others. Baidyanath was also arrested. Lalbabu
was also arrested. From the possession of Baidyanath, so many



articles were recovered including the motorcycle. So far as petitioner is concerned, save and except confessional statement coupled with his own inculpatory extra judicial confessional statement, nothing substantial has been brought up on record including failure on the part of prosecution to put him on TIP.

Though, petitioner has criminal antecedents, however, considering the nature of evidence having been collected during course of investigation, petitioner, Krishna Rai is directed to be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of CJM, Saran at Chapra in connection with Mashrakh PS Case No. 317/2015.

(Aditya Kumar Trivedi, J)

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