

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51717 of 2016

Arising Out of PS.Case No. -255 Year- 2016 Thana -NARPATGANJ District- ARRARIA

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CHANDAN YADAV SON OF LATE MUSHUK LAL YADAV,
RESIDENT OF VILLAGE- MIRDOUL, POLICE STATION-
NARPATGANJ, DISTRICT- ARARIA.

.... PETITIONER/S

VERSUS

THE STATE OF BIHAR

.... OPPOSITE PARTY/S

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Appearance:

For the Petitioner/s : Mr. Mukesh Kumar Rana, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

3 16-12-2016 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor.

There was commission of lurking house trespass whereunder thieves taken away boxes containing the articles as detailed in the written report and during course thereof, petitioner along with Mukhtar Khan, co-villagers were identified though prosecution also claimed identification against the remaining. The peculiar feature of prosecution version is apparent from written report itself whereunder it has been disclosed that both these two persons were called upon, who came, confessed before villagers as well as also disclosed that articles have been kept at the house of Bhagwat Ram of village Gokhalpur. Charge sheet had already been submitted but the Investigating Officer reason best known to him did not care to conduct raid at the house of the Bhagwat Ram nor the prosecution himself gone to the place of Bhagwat to ascertain real fact. Furthermore, petitioner was produced along with written report on 13.08.2016 and since thereafter is under custody having no criminal antecedent as is evident from para-3 of the petition.



Accordingly, petitioner Chandan Yadav is directed to be released on bail on furnishing bail bonds of Rs.10,000/-(ten thousand) with two sureties of the like amount each, to the satisfaction of learned Chief Judicial Magistrate, Araria in connection with Narpatganj P.S. Case No.255/2016.

(Aditya Kumar Trivedi, J.)

Prakash Narayan

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