

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1242 of 2016

Arising Out of PS.Case No. -83 Year- 2015 Thana -SHEIKHOPUR SARAI District- Shiekhpora

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Raja S/o Sri Ram Babu Sawarnkar, resident of village- Faizabad, P.S.
Barbigha, District- Sheikhpura Petitioner

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Bipin Kumar, Advocate

For the Opposite Party/s : Mrs. Asha Kumari, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA

ORAL ORDER

3 19-02-2016 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner is accused in connection with Sheikhopur Sarai P.S. Case No. 83 of 2015 registered under Sections 395 and 397 of the Indian Penal Code.

The accusation is that when the informant was going to Barbigha on motorcycle and reached near Mobile tower at Ambari village six unknown persons on two motorcycles and stopped him and by putting pistol on his temple snatched motorcycle, Rs. 69,000/- and a Mobile.

Learned counsel for the petitioner submits that the petitioner is not named in the First Information Report, as on the basis of the written report of Arvind Kumar, Sheikhopur Sarai P.S. Case No. 83 of 2015 was instituted against unknown persons under Sections 395 and 397 of the Indian Penal Code. Later on,

the name of the petitioner has been disclosed by witness Kutus Singh in his statement as detailed in paragraph 42 of the case diary who only stated that the petitioner was identified moving with others on motorcycle on the date of occurrence. Learned counsel for the petitioner further submits that while the informant has disclosed the physique of the culprit claiming to identify them but the petitioner has not been put on T.I. Parade while he is in custody since 11.11.2015. In fact, the petitioner was accused in two other cases, due to that reason, the name of the petitioner sprang up in the present case.

Having regard to the facts and the circumstances of the case, the petitioner above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate Sheikhpura in connection with Sheikhopur Sarai P.S. Case No. 83 of 2015. Out of two sureties, one surety must be the close relative of the petitioner.

(Rajendra Kumar Mishra, J)

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