

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4602 of 2016

Arising Out of PS.Case No. -72 Year- 2013 Thana -MANIYARI District- MUZAFFARPUR

1. Lalu Kumar @ Anil Rai @ Lalu Rai, Son of Nawal Kishore Prasad Yadav @ Abadh Kishor Roy resident of Village- Dharmuhan, P.S- Kurhani, District- Muzaffarpur.

.... Petitioner/s

Versus

1. THE STATE OF BIHAR.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anish Chandra

For the Opposite Party/s : Mr. Smt. Renuka Ratnakar (App)

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

4 04-03-2016 Heard learned counsel for the petitioner as well as learned Additional Public Prosecutor for the State.

The petitioner is languishing in jail custody since 29-07-2015 in a case registered under Sections-392/34 & 411 of the Indian Penal Code.

In course of investigation, the godown of petitioner's father was searched and allegedly, looted tea leaves were recovered from the aforesaid godown. The petitioner does carry criminal antecedent of near about 7 cases but submission on behalf of the petitioner is that petitioner was arrested in Brahampura P.S. Case No. 263 of 2014 and after that, he was remanded in the present case as well as in several other cases, which had been

lodged against unknown persons. It is further contended by him that so far as alleged recovery of tea leaf is concerned; according to prosecution case itself, the aforesaid recovery was made from godown of petitioner's father. Moreover, petitioner has not yet been put on Test Identification Parade and, at best, a case u/S 411 of the Indian Penal Code is made out against him.

No doubt, it is a serious case of road robbery but admittedly, the alleged recovery was made from godown of petitioner's father.

Considering the above-said facts and circumstances of the case as well as submission of the parties, let the petitioner named above, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Maniyari P.S. Case No. 72 of 2013 to the satisfaction of Sri S. K. Jha, learned Judicial Magistrate-Ist Class, Muzaffarpur.

(Hemant Kumar Srivastava, J)

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