

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26054 of 2016

Arising Out of PS.Case No. -131 Year- 2015 Thana -MUSRIGHARARI District- SAMASTIPUR

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1. Deepak Rai, son of Harigopal Rai, resident of Village Labapur, P.S. Mahnar, District Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Mishra

For the Opposite Party/s : Mr. Smt Renu Kumari

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

2 24-06-2016 Heard learned counsel for the petitioner as well as learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered under Section-394 of the Indian Penal Code.

Some unknown criminal looted the truck, laden with iron rod. Subsequently, the aforesaid truck was recovered and the petitioner and four others were caught with the aforesaid looted truck for which, Alouli P.S. Case No. 251 of 2015 was registered. The present case was lodged against unknown and when the petitioner and four others were arrested in Alouli P.S. Case No. 251 of 2015, they were arrested in the present case also.

Submission on behalf of petitioner is that co-accused Tinku Rai and Santosh Kumar, having more or less similar

allegation, have already been granted privilege of bail by this court and similarly, the petitioner has already been granted privilege of bail by a coordinate bench of this court in Alouli P.S. Case No. 251 of 2015. So far as criminal antecedent of the petitioner is concerned; except the present case as well as Alouli P.S. Case No. 251 of 2015, the petitioner has not been made accused in any other case.

Considering the above-said facts and circumstances of the case as well as this aspect of the matter that petitioner is in jail custody since 21-01-2016, 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 Musharigharari P.S. Case No. 131 of 2015 to the satisfaction of learned Chief Judicial Magistrate, Samastipur.

(Hemant Kumar Srivastava, J)

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