

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25736 of 2016

Arising Out of PS.Case No. -13 Year- 2016 Thana -RAMGARHWA District-
EASTCHAMPARAN(MOTIHARI)

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1. Upendra Rai @ Upendra Yadav Son of shri Ramadhar Rai Resident of
Village- Baswariya, PS Muffasil, District East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhishek Kumar

For the Opposite Party/s : Mr. Sri Mujtabaul Haque

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 16-08-2016

Heard learned counsel for the petitioner and the State.

The petitioner is in custody in a case registered under
Sections 395 and 397 of the Indian Penal Code.

It is alleged by the informant (Ranjeet Lama) that on
17.02.2016 he along with his assistant driver, Ashish Kumar,
loaded 20,000 liters diesel and proceeded for Nepal. Near Bela
Road, Ramgarhwa Police Station six unknown persons on Bolero
over took the tanker and stopped in front of it and on the point of
pistol over powered the informant and his assistant and looted
away loaded tanker.

It is submitted on behalf of the petitioner that the
petitioner is in custody since 20.02.2016. Charge sheet has been
submitted in the present case. There is no allegation of tampering

of the witnesses alleged against the petitioner. The petitioner is not named in the FIR. The name of the petitioner has come on the basis of confessional statement of co-accused. There is no recovery of any incriminating article from the possession of the petitioner. The petitioner has not been put on T.I. parade.

On behalf of the State, it is submitted that the petitioner is not named in the FIR.

Considering the aforesaid facts and circumstances of the case, let, above named petitioner, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Raxaul, East Champaran in connection with Ramgarhwa P.S.Case No. 13 of 2016.

(Sudhir Singh, J)

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