

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.13419 of 2016

Arising Out of PS.Case No. -23 Year- 2016 Thana -RAJIVNAGAR District- PATNA

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Rahul Kumar @ Rahul Kumar Singh Son of Sushil Singh resident of
Village - Pachrukhiya, P.S. - Gaurichak, District - Patna, at present Ramjee
Chak, P.S. - Digha, District - Patna.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Chhote Lal Mishra, Advocate.

For the Opposite Party : Mr. Anita Kumari (APP)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

3 10-05-2016

Heard learned counsel for the petitioner and learned

A.P.P. representing the State.

The petitioner seeks bail in connection with Rajiv
Nagar P.S. Case No. 23 of 2016 registered for the offence
punishable under Section 394 of the Indian Penal Code.

The petitioner is not named in First Information
Report wherein it is alleged that three motorcycle borne criminals
snatched the mobile of the informant which was of LAVA
company having SIM of Airtel. During investigation the petitioner
and other co-accused were apprehended and they confessed their
guilt and further from the house of the petitioner one looted
mobile besides two other mobiles were recovered.

Submission is of false implication and that the
petitioner has been made victim of the circumstances, as a matter
of fact, nothing was recovered from the possession of the

petitioner, the house is joint family property and the petitioner is suffering in custody since 04.02.2016, other co-accused Sunny Kumar and Rahul Kumar have been allowed bail vide Cri. Misc. No. 11200 of 2016 and as such the petitioner deserves sympathetic consideration to which the learned A.P.P. opposes the prayer of bail by pointing out alleged confessional statement and recovery from the house of the petitioner.

In the facts and circumstances stated above, the petitioner above named shall be released on bail, after completion of six months in custody from the date of his remand, on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of Sri S.K.Verma, Judicial Magistrate 1st Class, Patna in connection with Rajiv Nagar P.S. Case No.23 of 2016, subject to conditions that one of the bailors must be near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J.)

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