

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.38286 of 2017

Arising Out of PS.Case No. -25 Year- 2017 Thana -PHENHARA District-
EASTCHAMPARAN(MOTIHARI)

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Julu Rai @ Jullu Kumar Yadav Son of Birendra Yadav @ Birendra Rai, R/o
Village- Chakardhe, P.S.- Piprakothi, District- East Champaran.

.... Petitioner.

Versus

The State of Bihar

.... Opposite Party.

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Indra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA

JAISWAL

ORAL ORDER

02 16-08-2017

Heard learned counsel for the petitioner and learned

APP for the State.

The petitioner seeks bail in Fenhara P.S. Case No.25
of 2017 registered under Section 379, 411, 413, 414, 465, 468, 471
and 474/34 of the Indian Penal Code and Section 25 (1-b) a, 26
and 35 of the Arms Act.

As per the prosecution case, accused Arun Kumar
alias Arun Sahani has been apprehended by the police with a
loaded country made pistol who disclosed the name of the
petitioner as his accomplice in other cases of looting motorcycle.

It is submitted by learned counsel for the petitioner
that nothing incriminating article has been recovered from the
conscious physical possession of the petitioner rather the stolen
motorcycle was recovered from near the house of Madan



Mukhiya. There is nothing on record indicating the complicity of the petitioner in the occurrence barring the confessional statement of co-accused, Arun Kumar which has no evidentiary value in the eye of law. The petitioner has no criminal antecedent. He has been languishing in custody since 04.05.2017,

Considering the facts aforesaid, the above named petitioner is directed to be enlarged 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 12th Additional Chief Judicial Magistrate, East Champaran at Motihari in connection with Fenhara P.S. Case No.25 of 2017.

(Prakash Chandra Jaiswal, J)

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