

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.19139 of 2017**

Arising Out of PS.Case No. -286 Year- 2016 Thana -MAHUA District- VAISHALI(HAJIPUR)

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1. Chandan Kumar, S/o Late Bishwanath Rai, resident of Village-  
Rajapakar Chauripar, P.S. Rajapakar, District- Vaishali at Hazipur.

.... .... Petitioner/s

Versus

1. The State of Bihar.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Devendra Kumar

For the State : Mr. Sri Nand Kumar

For the informant : Mr. Manish Chandra Gandhi

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR**

**JHA**

**ORAL ORDER**

3      17-05-2017                      Heard the learned counsel for the petitioner, the  
  
learned counsel for the informant and the learned Additional  
  
Public Prosecutor.

The petitioner seeks bail in Mahua P.S. case No. 286  
of 2016 under Section 394/412 of the Indian Penal Code.

The informant alleged that criminals came on his  
petrol pump and looted away Rs. 3, 01,000/-. The informant  
claimed to identify the accused persons.

The learned counsel for the petitioner submits that  
petitioner is not named in the FIR. One Ranjit Kumar was  
apprehended and he disclosed the name of the petitioner and other  
accused persons. Rahul Kumar was also arrested and from his



possession Rs. 10,000/- was recovered which is said to be looted one. Rahul Kumar has already been enlarged on bail vide order dated 17.02.2017 passed in Cr. Misc. No. 6936 of 2017. It is further submitted that prayer for bail of Ranjit Kumar has been rejected on the ground that he has got criminal antecedent. The petitioner was not put on T. I. parade. Looted money is also said to have recovered from the possession of the petitioner and the informant identified the looted money but even then the petitioner was not put on T. I. parade.

On the other hand, the learned counsel for the informant as well as the learned Additional Public Prosecutor opposed the prayer for bail and submitted that money recovered from the possession of the petitioner has been duly identified by the informant and the same was released in favour of the informant.

It appears that petitioner, Chandan Kumar, and Rahul Kumar were apprehended and from their possession Rs. 10,000/- each was recovered but the petitioner has not been put on T. I. parade. The petitioner is in jail since 06.08.2016. The petitioner has already remained in jail for more than nine months. Similarly situated accused Rahul Kumar has already been granted bail.

Considering the facts aforesaid and the nature of



allegation made against the petitioner, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Vaishali at Hajipur in Mahua P.S. Case No. 286 of 2016.

**(Prabhat Kumar Jha, J)**

BKS/-

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