

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3758 of 2017

Arising Out of PS.Case No. -189 Year- 2016 Thana -RANIGANJ District- ARRARIA

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NIRAJ KUMAR @ GHOLTU, Son of Vijendra Yadav, Resident of
village- Raghopur ,P.S.- Raniganj, District- Araria.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Sinha, Adv.

For the Opposite Party/s : Mr. Ahmad Ali, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 10-02-2017 Heard learned counsel for the petitioner and the

learned APP for the State.

The petitioner seeks bail in Raniganj P.S. Case
No.189 of 2016 instituted for the offence under Section 392 of the
Indian Penal Code.

It has been submitted on behalf of the petitioner that
the petitioner is not named in the FIR. There is no recovery of any
incriminating articles from his possession. The motorcycle which
is said to be recovered from his possession belonged to him.

As per written report, cash, mobile etc. was taken
away from the possession of the informant and one Mohan Kumar
Yadav. The miscreants were four in number and fled away
towards Bhargama by motorcycle.



The Sessions Judge has mentioned in the impugned order that this petitioner after arrest confessed his guilt before the police in paragraph 52 of the case diary. It has been further mentioned that in paragraph 49 of the case diary in his confessional statement this petitioner stated that he has committed offence with his motorcycle bearing No.BR38K/5212 and the said motorcycle was recovered from his house.

From the impugned order it appears that the aforesaid motorcycle belonged to this petitioner. There is no recovery of money and Samsung mobile which are alleged to have been stolen from the informant. The petitioner is said to be in custody since 22.09.2016.

In the aforesaid facts and circumstances of the case, let the petitioner, above named, 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., Araria in connection with Raniganj P.S. Case No.189 of 2016, subject to the conditions that both the bailors shall be the close relative of the petitioner.

Arvind/-

(Sanjay Priya, J)

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