

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12797 of 2018

Arising Out of PS.Case No. -272 Year- 2017 Thana -MAJHAHGARH District- GOPALGANJ

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1. Dashrath Rai S/o Late Bachha Rai, R/o Village- Koini, P.S.- Manjhagarh,
District- Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Naresh Chandra Verma, Advocate.

For the Opposite Party/s : Mr. Pramod Kumar Pandey, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

03 04-04-2018

Heard learned counsel for the petitioner and learned

APP for the State.

The petitioner seeks bail in Manjhagarh P.S. Case
No. 272 of 2017 registered under Sections 379, 328, 396, 412, 413
& 120-B of the Indian Penal Code.

As per the prosecution case, 1350 canister of
mustard oil loaded on the truck of the informant along with the
driver and cleaner was looted by some unknown miscreants and
later on the driver and cleaner were killed.

It is submitted by learned counsel for the petitioner
that no such occurrence as alleged ever took place. The petitioner
is not named in the F.I.R. He has been falsely implicated in this
case merely on suspicion and confessional statement of co-



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accused Veera Choudhary, who is said to have sold out 37 canister of alleged mustard oil to the petitioner and the petitioner in turn concealed the same in the house of Kameshwar Yadav but no incriminating article has been recovered from the conscious physical possession of the petitioner. Though the mustard oil has been recovered from the house of Kameshwar Yadav but there is no confessional statement of Kameshwar Yadav regarding hiding of the said oil in his house by the petitioner. Moreover, the said article was seized earlier to confessional statement of Veera Choudhary. Petitioner has no concern with the aforesaid occurrence. He has been languishing in custody since 30.11.2017. He has no criminal antecedent.

In the facts and circumstances of the case, 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, Gopalganj in connection with Manjhagarh P.S. Case No.272 of 2017.

(Prakash Chandra Jaiswal, J.)

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