

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.5733 of 2018**

Arising Out of PS.Case No. -90 Year- 2017 Thana -ARA RAIL P.S. District- BHOJPUR

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1. Harshwardhan Kushwaha, Son of Ramji Bhai, Resident of Village-  
Belaur, P.S.- Guthli, District- Siwan.

.... .... Petitioner/s

Versus

1. The State of Bihar.

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

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**Appearance :**

For the Petitioner/s : Mr. Kumar Uday Singh

For the Opposite Party/s : Mr. Sir Pawan Kumar Chaurasiya

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**CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA**  
**ORAL ORDER**

2      02-02-2018                      Heard learned counsel for the petitioner and learned  
counsel for the State.

The petitioner has been in custody since 16.11.2017 in  
connection with Rail Ara P.S. Case No. 90 of 2017 for the offence  
registered under Sections 379/ 411 of the Indian Penal Code.

Learned counsel for the petitioner submits that though  
it is alleged that the recovery was made from the possession of the  
petitioner, the seizure list does not indicate that it was recovered  
from the present petitioner and also signature of the petitioner  
does not appear in the seizure list. It is further submitted that  
petitioner has no criminal antecedent. Petitioner has been  
implicated in this case on mere suspicion.

Considering 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 Additional Chief Judicial Magistrate, Railway Court, Ara in connection with Rail Ara P.S. Case No. 90 of 2017.

**(Anjana Mishra, J)**

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