

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6282 of 2018

Arising Out of PS.Case No. -223 Year- 2017 Thana -CHATOUNI District-
EASTCHAMPARAN(MOTIHARI)

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Rahul Kumar S/o Rambali Sah Kushwaha @ Rambali Prasad, R/o Village-
Anjanakot, P.S.- Motipur, District- Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Abhishek Kumar @ Sonu Babu, Advocate.
Miss Rashmi Jha, Advocate.

For the Opposite Party/s : Mr. Sri Umanath Mishra, APP.

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

3 20-02-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in Chhatauni P.S. Case No.
223 of 2017 registered under Sections 379, 413 and 414/34 of the
Indian Penal Code.

Some stolen spare parts of the vehicle like bumper
etc. are said to have been recovered from the Bolero pick up van
and the petitioner and other accused, namely, Guddu Singh were
apprehended in the course of escaping from the said pick up van.

It is submitted by learned counsel for the petitioner
that no incriminating article has been recovered from the
conscious physical possession of the petitioner. The petitioner has



no concern either with the seized vehicle or with the seized articles. He has been falsely implicated in the case merely on suspicion while he was passing through the road at the place of occurrence. Two more criminal cases have been lodged against the petitioner, but he is on bail in the aforesaid cases. Similarly situated co-accused, namely, Guddu Singh has been enlarged on bail by a co-ordinate Bench of this court in Cr. Misc. No. 58235 of 2017 vide order dated 12.12.2017. The petitioner has been languishing in custody since 05.09.2017.

Learned APP opposed the prayer of bail.

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, Motihari, East Champaran in connection with Chhatauni P.S. Case No. 223 of 2017.

(Prakash Chandra Jaiswal, J)

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