

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32455 of 2018

Arising Out of PS.Case No. -40 Year- 2018 Thana -CHANPATIA District-
WESTCHAMPARAN(BETTIAH)

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Suresh Mahto @ Suresh Kumar @ Nanki S/o Sri Nayak Mahto, R/o Vill.-
Sirisiya Biswas Chuhari, P.S.- Champatia (Sirisiya), District- West
Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Sri Akbar Ali

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 04-07-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is in custody since 02.02.2018 in
connection with Chanpatia (Sirisiya) P.S. Case No. 40 of 2018
for the offence registered under Section 414 of the Indian Penal
Code.

Learned counsel for the petitioner submits that the
petitioner has been taken into custody only on the basis of
recovery of certain household articles and 20 KGs of rice which as
alleged was said to be of mid-day meal quota. It is further
submitted that there was no first information report with regard to
theft of any mid-day meal rice and therefore, the allegation is



wholly far-fetched that the petitioner was storing rice belonging to the mid-day meal. It is further submitted that subsequent to his arrest in connection with the present case, the police has remanded him in four other cases on false premises and prior to his arrest, he was not having any criminal antecedent.

Considering the aforesaid facts and circumstances of the case and that admittedly, recovery was made from the house of the petitioner and not from his constructive possession which was also being occupied by the other brothers, 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-V, West Champaran, Bettiah in connection with Chanpatia (Sirisiya) P.S. Case No. 40 of 2018.

(Anjana Mishra, J)

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