

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15720 of 2018

Arising Out of PS.Case No. -153 Year- 2016 Thana -RAJGIR
District- NALANDA (BIHARSHARIFF)

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Mahesh Chaudhary S/o Late Umesh Chaudhary, R/o Village-
Jamuyawan, P.S.- Wazirganj, District- Gaya.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arjun Prasad

For the Opposite Party/s : Mr. Sri Sanjay Kumar

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 05-04-2018 The petitioner seeks bail in anticipation of his arrest in connection with Rajgir P.S. Case No. 153 of 2016 dated 21.08.2016 instituted for the offence under Sections 414 of the Indian Penal Code.

It appears that an idol was found to have been stolen which was kept in the premises of one Gopal Singh. Later, it transpired that the aforesaid premises was given on rent to one Md. Shamshad Alam for running his tyre repair shop. The aforesaid Md. Shamshad Alam, on being arrested, disclosed the name of the petitioner also in keeping the stolen idol concealed for the purposes of later selling it in the market.

Learned counsel for the petitioner has submitted that but for the confession of a co-accused, there is no other



material to connect the petitioner with the crime. It has also been submitted that neither the market value of the idol nor whether it belonged to pre-historic time or of some antiquity, thereby attracting the mischief of the provisions contained The Antiquities and Art Treasures Act, 1972, have not been disclosed in the F.I.R.

The learned counsel for the petitioner has further submitted that Md. Shamshad Alam, on whose confession the name of the petitioner transpired, has been granted bail by a Bench of this Court vide order dated 22.12.2016 passed in Cr. Misc. No. 55060 of 2016.

Considering the aforesaid facts, the petitioner, above named, in the event of his arrest or surrender before learned Court below within a period of four weeks from today is directed be released on bail on furnishing bail bonds of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, IVth, Nalanda at Biharsharif in connection with Rajgir P.S. Case No. 153 of 2016.

(Ashutosh Kumar, J)

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