

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21541 of 2018

Arising Out of PS. Case No.-202 Year-2017 Thana- DHARHARA District- Munger

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Laddu Kumar @ Rakesh Kumar S/o Sri Parveen Mahto, R/o Village-
Hemjapur, P.S.- Dharahara, District- Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Sevak Choudhary

For the Opposite Party/s : Mr. Sri Harendra Prasad

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 26-04-2018 Heard the learned counsel for the petitioner and
the State.

The petitioner seeks bail in anticipation of his arrest in connection with Dharahara (Hemjapur) P.S. Case No. 202 of 2017 dated 18.10.2017 instituted for the offences under Sections 457 and 380 of the Indian Penal Code.

A burglary was committed in the house of the informant. Later, some of the looted articles is stated to have been recovered from the houses of some of the accused persons including the petitioner.

Learned counsel for the petitioner has submitted that those articles which were seized from his house as well as from the other houses were never put on T.I. parade. In fact, the articles which is said to have



been recovered from the house of the petitioner is an article of common use which is expected to be found in any and every household. In the absence of the identification of the article so recovered from the house of the petitioner by the informant, it cannot at all be said that the petitioner was in possession of any stolen article. The petitioner, for all practical purposes, has been made accused in this case on the basis of confession of one of the co-accused persons. When the police had gone to the house of the petitioner and when one stolen article was recovered, the petitioner was not present as he had gone to take tuitions.

The petitioner does not have any criminal antecedent.

Regard being had to the nature of accusation and the materials available on record, the petitioner above named is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate 1st Munger in connection with Dharahara (Hemjapur) P.S. Case No. 202 of 2017, subject to the



conditions as laid down under Section 438(2) Cr.P.C.

(Ashutosh Kumar, J)

Krishna/-
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