

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4555 of 2019

Arising Out of PS. Case No.-454 Year-2018 Thana- GHORASAHAN District- East
Champaran

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Satya Lal, (M), aged about 26, Son of Dasharath Prasad, Resident of Village-
Rajwara, P.S.-Ghorashan, District-East Champaran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Usha Kumari 1

For the Opposite Party/s : Mr.Kumar Ranjit Ranjan

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 29-01-2019 Heard learned counsels for the petitioner and the
State.

The petitioner is languishing in custody since 22.11.2018
in a case registered for the offences punishable under Sections
414/34 of the IPC.

The prosecution case is that the informant being the S.I.-
cum-S.H.O., Ghorasahan Police Station received information on
21.11.2018 at about 4.15 P.M., that one person is standing at
Sripur road with a stolen motorcycle, who is also indulged in
selling illicit liquor, whereupon a raid was laid and the petitioner
was arrested and the alleged motorcycle was also recovered.



It is submitted by learned counsel for the petitioner that the petitioner has no concern with the alleged motorcycle. The petitioner was only standing near the alleged motorcycle and hence, the said recovery cannot be treated from the possession of the petitioner. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that the petitioner was arrested with stolen motorcycle.

Considering the nature of accusation, coupled with the statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned SDJM, Sikarahana, Dhaka in connection with Ghorasahan P.S. Case No. 454 of 2018.

The informant appears to be the S.H.O. of Ghorasahan Police Station, who in the FIR, in place of his self statement, has mentioned as his confessional statement and that too, the spelling of the confessional has incorrectly been recorded, which suggest the kind of police officer is heading the police station.



The S.P., East Champaran is expected to look into the
matter.

(Dinesh Kumar Singh, J)

Amrendra/-

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