

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4181 of 2019

Arising Out of PS. Case No.-55 Year-2018 Thana- MAKER District- Saran

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Arun Rai @ Pankaj Kumar Paras Rai Resident of Village- Rahimpur, P.S.-
Sonpur, District - Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dewendra Narayan Singh

For the Opposite Party/s : Mr.Ajay Kumar N. 2, APP

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 28-01-2019 Heard learned counsels for the parties.

The petitioner is languishing in custody since 27.10.2018 in a case registered for the offences punishable under Section 394 of the I.P.C.

The prosecution case as per the Fardbeyan of Swami Nath Pandit dated 5.5.2018 is to the effect that on 4.5.2018, after collecting money from the bank, the informant was returning to Parsa when he was intercepted by three motorcycle borne miscreants who robbed the cash amount and a mobile phone, leading to registration of FIR against unknown. During investigation, the robbed mobile phone was recovered from one Pintu Rai who confessed that he has purchased the said mobile phone from one Tuphani Rai who confessed about the complicity of the petitioner in the said incident.



It is submitted by learned counsel for the petitioner that there is neither recovery from the petitioner nor has the petitioner been put on Test Identification Parade till date. Though the petitioner is accused in two other cases but he is on bail in those cases. Statement to that effect has been made in paragraph no. 3 of the petition. It is further submitted that the name of the petitioner sprang up during investigation.

Learned APP submits that though there is no recovery from the petitioner but the petitioner is having criminal antecedent.

Considering the fact that there is no recovery from the petitioner and the petitioner has remained in custody for about three months, 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 the learned ACJM XII, Saran at Chapra in connection with Maker P.S. Case No.55 of 2018.

(Dinesh Kumar Singh, J)

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