

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8278 of 2019

Arising Out of PS. Case No.-80 Year-2018 Thana- SIMRA District- West Champaran

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Dilip Kumar @ Dilip Kumar Gond, aged about 36 years(Male), Son of Mahendra Gond @ Harendra Gond, R/o village- chiutaha, Ward no. 13, P.S- Semra (Chiutaha O.P), District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kr Singh No. 1

For the Opposite Party/s : Mr. Sucheta Yadav

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 15-02-2019 Heard learned Counsel for the petitioner and learned
APP for the State.

The petitioner is languishing in custody since 19.11.2018 in a case registered for the offences punishable under Section 392 of the IPC.

The prosecution case as per the written report of Dependra Kumar Giri dated 06.06.2018 submitted to SHO, Semra Police Station is to the effect that the petitioner being a Manager in the Financial Committee, after making collection of Rs.1,42,290/- was returning along with Santosh Kumar, when one person came by a motorcycle and dashed his motorcycle. In the meantime, three unknown persons also came on a motorcycle and snatched away the bag containing the said amount, a laptop



and a mobile and fled away from the place of occurrence leading to the registration of the present case against the unknown persons. It is further alleged that the name of the petitioner sprang up on the confession of co-accused, Chandan Kumar, who has been arrested in the course of investigation.

It is submitted by learned counsel for the petitioner that there is no recovery from the conscious physical possession of the petitioner nor the petitioner has been put on T.I. Parade. It is further submitted that similarly situated co-accused, Shahik Akhatar has been granted bail by a Co-ordinate Bench of this Court vide order dated 02.01.2019 passed in Cr. Misc. No.77672 of 2018. A statement has been made in paragraph no. 3 of the petition that the petitioner is involved in one another case.

It is submitted by learned APP for the State that the name of the petitioner sprang up on the confessional statement of the co-accused, Chandan Kumar.

Considering the fact that nothing has being recovered from the conscious physical possession of the petitioner and name of the petitioner sprang up on the confessional statement of co-accused, Chandan Kumar, 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 **JM-1st Class, Bagaha, West Champaran** in connection with **Semra P.S. Case No. 80 of 2018.**

(Dinesh Kumar Singh, J)

Deepak/Rahul/-

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