

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11013 of 2019

Arising Out of PS. Case No.-299 Year-2018 Thana- BUXAR MUFFSIL District- Buxar

RAVI SHANKAR @ PATARKU RAJBHAR son of late Surendra Rajbhar
village-Mahadah,P.S-Buxar(M), District- Buxar

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramakant Yadav, Adv.

For the Opposite Party/s : Mr.Sanjay Kumar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 25-02-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is languishing in custody since 25.10.2018 in a case registered for the offences punishable under Sections 399, 402, 414 of the Indian Penal Code and Sections 25 (1-B)a, 35 of the Arms Act.

The prosecution case got initiated on the basis of written report dated 12.10.2018 submitted by ASI, Ravi Shankar to the Station House Officer, Buxar (M) Police Station is to the effect that on 12.10.2018, the informant after having received information to the effect that 5 to 6 accused persons are preparing to commit dacoity, he along with the police party reached near the house of co-accused Sunil Rajbhar, but on seeing the police, 3 to 4 persons started fleeing



away, though out of them, co-accused Sunil Rajbhar and Manoj Chauhan were apprehended who disclosed that the petitioner is one of the accused person who escaped from scene. It is alleged that on frisking, one loaded country made pistol and a motorcycle were recovered from apprehended accused.

It is submitted by learned counsel for the petitioner that neither there is any recovery from the possession of the petitioner nor has the petitioner been put on Test Identification Parade and the investigation has already been concluded. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP for the State submits that the name of the petitioner sprang up on the basis of confessional statement of apprehended co-accused persons.

Considering the fact that no recovery has been made from the conscious physical possession of the petitioner, coupled with 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 bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial



Magistrate, Buxar in connection with Buxar (M) P.S. Case No.
299 of 2018.

(Dinesh Kumar Singh, J)

Ashwini/-

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