

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13042 of 2019

Arising Out of PS. Case No.-11 Year-2015 Thana- SALAIYA District- Aurangabad

PAPPU CHOUDHARY (M), aged about 38 years, Son of Banshi Chaudhary
@ Vanshi Chaudhary Resident of Village - Mauna Tola Kadhwa, P.S. Nokha,
District- Rohtas.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Ashok Kumar Singh, Advocate.
For the Opposite Party : Mr.Anish Chandra, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 15-04-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is languishing in custody since
11.01.2019 in a case for the offence registered under Section
395 of the IPC.

The prosecution story, in brief, is that on 17.05.2015
the informant alongwith his family was sleeping in his house
after taking meal. In the meantime, at about 1.00 in the night,
some criminals entered into his house and on the point of
weapons, tied the hands of his family members and thereafter
took jewellery and Mobile Phone.

It has been submitted by learned counsel for the
petitioner that the petitioner has falsely been implicated in the



present case. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner is not named in the F.I.R. His name has come merely on the basis of confessional statement of co-accused. The petitioner has not been put on T.I. Parade. There is no recovery of any incriminating article from possession of the petitioner. Other similarly situated co-accused has been granted bail by another Co-ordinate Bench of this Court vide Cr. Misc. No. 45243 of 2018 order dated 18.08.2018.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is not named in the F.I.R./ complaint case.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M. Aurangabad, in connection with Salaiya P.S. Case No. 11/15.

U.K./-

(Sudhir Singh, J)

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