

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13993 of 2019

Arising Out of PS. Case No.-107 Year-2018 Thana- NAWADA MUFFASIL District- Nawada

JATAN KUMAR @ JATAN KUMAR RAM @ JATAN RAM Son of
Lalkeshwar Rajbanshi Resident of Village - Hasanpur, P.S.- Akbarpur, District
- Nawada

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vibhuti Ranjan Sonvadra
For the Opposite Party/s : Mr.Khurshid Anwar

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 07-03-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is languishing in custody since
27.07.2018 in a case registered for the offence punishable
under Section 392 of the Indian Penal Code.

It is alleged that while the informant, being a PDS
dealer, was returning to his house by his motorcycle, on the
way, his motorcycle and a mobile phone were robbed by two
unknown persons, leading to registration of FIR against
unknown. During investigation, the name of the petitioner
sprang up on the confession of apprehended co-accused Sonu
Kumar. Consequently, the robbed motorcycle was recovered.

It is submitted by learned counsel for the petitioner
that the recovery of the said motorcycle has not been made



from the conscious physical possession of the petitioner, rather it has been made from the front of the house of the petitioner. It is further submitted that neither the recovered articles nor has the petitioner been put on Test Identification Parade and though the petitioner is accused in one other case, but in that case he is on bail.

It is submitted by learned APP for the State that the looted motorcycle was recovered in front of the house of the petitioner.

Considering the fact that the investigation has already been concluded, the impugned order does not suggest that either the petitioner or the said seized motorcycle has been put on Test Identification Parade, 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 ACJM-I, Nawada, in connection with Muffasil (Nawada) P.S. Case No. 107 of 2018.

(Dinesh Kumar Singh, J)

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