

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14059 of 2019

Arising Out of PS. Case No.-116 Year-2018 Thana- MARWAH District- Saran

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Rakesh Rai, aged about 30 years (Male), S/o Harendra Rai, Resident of
Village-Mosaheb Tola, P.S.-Garkha, District-Saran. Petitioner/s

Versus

The State Of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dr. Rajesh Kumar Singh

For the Opposite Party/s : Mr.Aditya Narayan Singh.1

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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
19.06.2018 in a case registered for the offences punishable
under Sections 395 and 379 of the Indian Penal Code.

The prosecution case as per the fardbeyan of Dilip
Kumar recorded by R.B. Ray, Inspector -cum- SHO,
Marhowrah P.S. on 15.03.2018 is to the effect that on the same
day, nine miscreants robbed the motorcycle, Rs.27,500/- and
two gold rings of the informant, leading to registration of FIR
against unknown. The name of the petitioner sprang up on the
confession of co-accused Monu Kumar Giri.

It is submitted by learned counsel for the petitioner
that the petitioner was arrested by the police merely on the basis
of suspicion in connection with Marhowrah P.S. Case No. 112



of 2018 on 03.04.2018 but he was kept in the police custody and subsequently, remanded the petitioner in connection with Marhowrah P.S. Case No. 112 of 2018 and thereafter, the petitioner was granted bail in the said case on 17.07.2018 and thereafter he was remanded in the present case. It is further submitted that the police tried forcefully to make the petitioner confess and the confession of the petitioner but there is no recovery from the conscious possession of the petitioner and he has not been put on T.I.Parade till date. It is further submitted that the investigation has already been concluded and subsequently, the petitioner is accused in five other cases but all those cases he is not named in the FIR.

Learned APP submits that the name of the petitioner sprang up during investigation.

Considering the fact that the investigation has already been concluded, the material on record does not suggest any recovery from conscious physical possession of the petitioner and the petitioner has not been put on T.I. 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 Additional Chief Judicial Magistrate-VIII, Saran at



Chapra in connection with Marhowrah P.S. Case No. 116 of
2018.

(Dinesh Kumar Singh, J)

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