

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20333 of 2019

Arising Out of PS. Case No.-88 Year-2014 Thana- DEO District- Aurangabad

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

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr.Ashok Kumar Singh, Advocate.
For the Opposite Party : Mr.Suresh Prasad Singh, A.P.P.

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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
04.02.2019 in a case for the offence registered under Section
395 of the IPC.

The prosecution story, in brief, is that on 20.11.2014
at about 1.00 P.M. in the night, the informant alongwith wife
and children was sleeping in his house. When he awoke, saw
that five persons were standing near him. Out of them, one
person said that they are M.C.C. Thereafter, accused persons,
tied the hands of the informant, his wife and daughter and on the
point of pistol, demanded key and after opening the box, took
articles. The informant identified co-accused Triveni Yadav
through voice. They took household articles worth Rs.
1,56,000/-.



It has been submitted by learned counsel for the petitioner that the petitioner has falsely been implicated 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. 9703 of 2018 order dated 19.02.2018.

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 Deo P.S. Case No. 88/14.

U.K./-

(Sudhir Singh, J)

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