

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20484 of 2019**

Arising Out of PS. Case No.-176 Year-2018 Thana- SOHSARAI District- Nalanda

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KARTIK GIRI, Son of Ram Narayan Giri, Resident of Village-Basati, Police
Station-Harnaut, District-Nalanda.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh

For the Opposite Party/s : Ms. Indu Kumari Srivastava

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER**

2 03-04-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is languishing in custody since
06.10.2018 in a case registered for the offence punishable
under Section 395 of the Indian Penal Code.

The prosecution case is that informant's truck was
robbed near Biharsharif, leading to registration of FIR against
three unknown persons. It is further alleged that mobile



location of the petitioner was found near the place of robbery.

It is submitted by learned counsel for the petitioner that the petitioner is not named in the FIR and only on the basis of suspicion, the petitioner has been roped in the present case. It is further submitted that neither any robbed articles have been recovered from the conscious physical possession of the petitioner nor the petitioner has been put on T.I. Parade. Moreover, similarly situated co-accused, Satish Kumar and Pramod Kumar have been granted bail by Co-ordinate Bench of this Court, vide order dated 14.03.2019 passed in Cr. Misc. No.8513 of 2019. A statement has been made in paragraph no.3 of the petitioner that the petitioner is accused in five other cases apart from the present case, in four of those cases, he has been acquitted and one is pending.

Learned APP for the State submits that the mobile location of the petitioner was found near the place of robbery.

Considering the fact that material on record does not suggest any recovery from the conscious physical possession of the petitioner, the petitioner has not been put on T.I. Parade, coupled with the fact that the investigation has already been concluded, 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 **ADJ-II, Nalanda at Biharsharif** in connection with **S.T. No.165 of 2019** arising out of **Sohsarai P.S. Case No.176 of 2018.**

(Dinesh Kumar Singh, J)

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