

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17355 of 2019

Arising Out of PS. Case No.-249 Year-2017 Thana- GAIGHAT District- Muzaffarpur

OM PRAKASH KUMAR RAI @ OM RAI @ PRAKASH KUMAR Son of
Late Vidyanand Rai Resident of Village - Bhagwatipur Chandwara, P.S.-
Ahiyapur, Dist.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Ranjan

For the Opposite Party/s : Mr.Pancha Nand Pandit

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 28-03-2019 Heard learned counsels for the parties.

The petitioner is languishing in custody since 19.6.2018 in a case registered for the offence punishable under Section 395 of the I.P.C.

The prosecution case is that six persons robbed informant's Ten Lacs Twenty Thousand Rupees and a mobile phone, leading to registration of FIR against unknown. During investigation, name of the petitioner sprang up in the confessional statement of co-accused Golu alias Ujjwal Kumar. Subsequently, co-accused Golu disclosed that on the order of co-accused Saroj Kumar, the informant was robbed by all the accused persons including the petitioner and thereafter, they shared the booty.

It is submitted by learned counsel for the petitioner that



the petitioner is accused in one other case and only on the confession of co-accused, he has been roped in the present case.

Learned APP submits that the name of the petitioner sprang up in the confessional statement of co-accused.

Considering the fact that no incriminating material has been collected against the petitioner during investigation and the investigation has been concluded and the period in custody, let the petitioner above named 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 the learned 13th Addl. Sessions Judge, Muzaffarpur in connection with Gaighat P.S. Case No.249 of 2017.

(Dinesh Kumar Singh, J)

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