

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21306 of 2019

Arising Out of PS. Case No.-336 Year-2018 Thana- DESARI District- Vaishali

GAUTAM KUMAR, aged about 20 years, Male, Son of Awadhesh Singh @
Awdesh Singh Resident of Village- Gajipur, P.S.- Desari, District- Vaishali.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

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

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 15-04-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is languishing in custody since
25.01.2019 in a case for the offence registered under Section
395 of the IPC.

The prosecution story, in brief, is that on 26.11.2018
at about 1.15 P.M., six miscreants on two bikes were chasing the
bike of the informant near Chand Bricks situated near
Andharabar Chowk. They snatched the key of his bike and
aimed pistol and also snatched Rs. 1,76,630/- including cheque
book and documents which were lying in his bag. They have
also snatched mobile from his pocket.

It has been submitted by learned counsel for the
petitioner that the petitioner has falsely been implicated in the



present case. Charge sheet has been submitted 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.

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 Sub-Judge-IIIrd-cum-A.C.J.M.-IIInd, Vaishali at Hajipur, in connection with Desari (Sahdei O.P.) P.S. Case No. 336 of 2018.

(Sudhir Singh, J)

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