IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38926 of 2019

Arising Out of PS. Case No.-112 Year-2018 Thana- MADHAURAH District- Saran

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RAKATU KUMAR @ RAKATU RAI, aged about 20 years, Male, S/O Vidya Rai, Resident of Village- Telpa Chapra, P.S.- Chapra Town, District- Saran.

... ... Petitioner

Versus

THE STATE OF BIHAR

... ... Opposite Party

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Appearance :
For the Petitioner : Mr.Shakil Ahmad Khan, Advocate.
For the Opposite Party : Mr.Shantanu Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 27-06-2019 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is languishing in custody since 02.06.2018 in a case for the offence registered under Section 379 of the IPC.

The prosecution story, in brief, is that the informant has parked his Motorcycle bearig Registration No. BR-04U-5295 and went for purchasing vegetable and when returned back he could not found his Motorcycle. He creates doubt that some unknown persons have stolen his Motorcycle.

It has been submitted by learned counsel for the petitioner that the petitioner has falsely been implicated in the present case. Charge sheet/ prosecution report has been submitted in the present case. There is no allegation of

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tampering with the witnesses alleged against the petitioner. The petitioner is not named in the F.I.R. The name of the petitioner has come on the basis of confessional statement of co-accused. There is no recovery of any incriminating article from possession of the petitioner. He has not been put on T.I. Parade. He has remained in custody for one year.

On behalf of the State, it is 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 A.C.J.M. 8, Saran at Chapra, in connection with Marhora P.S. Case No. 112 of 2018.

(Sudhir Singh, J)

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