

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.71892 of 2018

Arising Out of PS. Case No.-66 Year-2018 Thana- RUDRAPUR District- Madhubani

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Suraj Kanjar, Son of Nathaiyee Kanjar, Resident of Village-Sukhait P.S.-
Jhanjharpur, District-Madhubani.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Binodanand Mishra, Adv.

For the Opposite Party/s : Mr. J. N. Thakur, APP

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

4 28-01-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is languishing in custody since
12.08.2018 in a case registered for the offence punishable
under Section 392 of the Indian Penal Code.

The prosecution case got initiated on the basis of
written report dated 06.08.2018 submitted by Sita Raman Jha
to the Station House Officer, Rudrapur Police Station is to the
effect that on the same day at 6.00 P.M., the informant after
withdrawing Rs.1,05,000/- from Allahabad Bank, was going to
his village home, but on the way, three motorcycle borne
accused persons on the point of pistol robbed Rs.1,16,000/-
and a mobile phone with SIM card from the informant.



However, one accused person out of the three was caught on chase who disclosed his name as Suraj Kumar, the petitioner in the present application.

It is submitted by learned counsel for the petitioner that only on the basis of suspicion, the petitioner was apprehended. It is further submitted that no recovery of any robbed article has been made from the possession of the petitioner. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP for the State submits that the petitioner was apprehended by the informant on spot. Though he also submits that there is no recovery from the petitioner.

Considering the fact that though the petitioner was caught on spot, but no recovery of any robbed article has been made from his possession and the investigation has already been concluded, coupled with statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, 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 ACJM-II, Jhanjharpur, Madhubani, in connection with



Rudrapur P.S. Case No. 66 of 2018.

(Dinesh Kumar Singh, J)

Ashwini/-

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