

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43304 of 2019

Arising Out of PS. Case No.-118 Year-2018 Thana- FORBESGANJ District- Araria

1. Ravi Kumar Sharma @ Pappu, aged about 24 years, Gender-Male, S/o Vishwanath Sharma, R/o village- Kalimelu, Road, ward No. 01, P.S.- Forbesganj, District- Araria.
2. Rajesh Kumar Das, aged about 25 years, Gender-Male, S/o Shivu Das, R/o village- Forbesganj, Ward No. 09, Power House, P.S.- Forbesganj, District- Araria.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Arvind Kumar Pandey, Advocate.
For the Opposite Party : Mrs.Renuka Ratnakar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 15-07-2019 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners are languishing in custody since
04.08.2018 in a case for the offence registered under Sections
457 and 380 of the IPC.

The prosecution story, in brief, is that on 17.02.2018
at about 3.00 A.M., an unknown miscreant entered into the
house of the informant by breaking the *Ventilator* and took a
Mobile and a Bag worth Rs. 2500/- and the miscreant trying to
take something more, in the meantime, the informant woke up
and the miscreant fled away from the house and occurrence was
recorded in C.C.T.V. footage.



It has been submitted by learned counsel for the petitioners that the petitioners have 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 petitioners. The petitioners are not named in the F.I.R. The name of petitioner no. 1 has come on the basis of his self confession made before the police. There is no recovery of any incriminating article from possession of the petitioners. Except for this, there is no substantive evidence to suggest the implication of the petitioners in the present case.

On behalf of the learned counsel for the State, it has been submitted that the petitioners are not named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned J.M. Ist Class, Civil Court, Araria, in connection with Forbesganj P.S. Case No. 118 of 2018, G.R. No. 510 of 2018.

(Sudhir Singh, J)

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