

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49053 of 2019**

Arising Out of PS. Case No.-24 Year-2019 Thana- ADHAOURA District- Kaimur (Bhabua)

RAKESH PASWAN @ RAKESH KUMAR (M), age-23 years, Son of Ghura Paswan, Resident of Village-Mohanpur, P.S-Bhagwanpur, District-Kaimur (Bhabua).

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Chandra Mohan Jha, Advocate.
For the Opposite Party : Mr.Kumar Ranjit Ranjan, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER**

2 07-08-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is languishing in custody since 10.05.2019 in a case for the offence registered under Sections 392 and 411 of the IPC.

The prosecution story, in brief, is that while the informant was going alone on his Motorcycle. In the way at Main Road, suddenly, he saw three persons standing on the Road. On seeing them, the petitioner got slow seeing threat upon his life. Thereafter, culprits surrounded and looted the Motorcycle, Mobile, Purse containing some necessary papers



alongwith cash of Rs. 5,000/- and detained him for few hours also by saying that actually they were searching one culprit who succeeded in fleeing away after committing rape upon a Harijan Girl of the Village and also said that they searched two-three other passers also.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. 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. The petitioner has falsely been implicated in the present case. The petitioner has not been put on T.I. Parade. The only material against the petitioner is that the *Aadhar Card* of the informant was recovered from his possession. Except for this, there is no substantive evidence to suggest the implication of the petitioner in the present case.

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

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 J.M. Ist



Class, Bhabua, Kaimur, in connection with Adhaura P.S. Case
No. 24/2019.

(Sudhir Singh, J)

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