

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52199 of 2019

Arising Out of PS. Case No.-395 Year-2019 Thana- TURKAULIYA District- East
Champaran

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KAUSHAL SRIWASTAW, aged about 26 years (Male), S/o Harendra
Sriwastaw @ Harendra Prasad, R/o village- Raghunathpur, Ward No. 3, P.S.-
Raghunathpur (O.P.), District- East Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr.Dhannjay Kumar No 2, Advocate.
For the Opposite Party : Mr.Sanjay Kumar Pandey, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 22-08-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is languishing in custody since
22.06.2019 in a case for the offence registered under Section
414 of the IPC.

The prosecution story, in brief, is that on 21.06.2019
at about 16.15 hours, on secret information, the informant went
to the house of the petitioner and recovered five Mobile Phones,
LED T.V. of LG Company, Laptop of HCL Company, Battery
Charger, Inverter and Stabilizer.

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 has falsely been implicated in the present case. Five Mobile Phones, T.V., Laptop, Battery Charger, Inverter and Stabilizer are said to have been recovered from the house of the petitioner. It is further submitted that the recovered articles belong to the petitioner. He has been made accused in the present case due to mistake of fact. Except for this, there is no other 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 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 C.J.M. Motihari, East Champaran at Motihari, in connection with Turkauliya (Raghunathpur) P.S. Case No. 395 of 2019.

(Sudhir Singh, J)

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