

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51561 of 2019

Arising Out of PS. Case No.-475 Year-2019 Thana- HAJIPUR District- Vaishali

SANJEET CHAUDHARY (Male), aged about 30 years, Son of Munsilal Chaudhary, Resident of Village - Bagmali Hajipur, P.S.- Hajipur Town, Dist.- Vaishali.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Anuj Kumar, Advocate.

For the Opposite Party : Mr.Md. Iftekhar Mahmood, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 19-08-2019 Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner is languishing in custody since 28.05.2019 in a case for the offence registered under Section 395 of the IPC.

The prosecution story, in brief, is that on 26.05.2019 at about 8.30 P.M., in the night, while the informant being the Godown Manager of Nishad Gas Service, Hathsarganj, Hajipur, taking the stock of sale proceeds of Gas refills from his staff namely, Shyam Kumar and Raghunath Singh, 7-8 persons armed with deadly weapons entered into the office and 2-3 persons standing outside the office. They assaulted the informant, Shyam Kumar, Raghunath Singh and Amarnath



Gupta and demanded key of Almirah on the point of pistol. On refusal, they pointed knife on his neck, another culprit obtained keys from another room and took Rs. 16,71, 235/- received from the sale proceeds of Gas Refill and also took Rs. 4,00,000/- which was taken from the house. They also took the Hard disk of CCTV of the godown office, Mobile phones of the staff and one Motorcycle. They threatened the informant if they will inform the police they will be killed and locked the godown office from outside. The informant claimed to identify the culprits.

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. The petitioner is not named in the F.I.R. His name has come on the basis of confession of co-accused. From possession of the petitioner, one Jio Mobile set has been recovered. The recovered Mobile Phone has not been put on T.I. Parade to ascertain whether the same is looted article or not. The petitioner has also not been put on T.I. Parade.

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 C.J.M. Vaishali at Hajipur, in connection with Town P.S. Case No. 475 of 2019.

(Sudhir Singh, J)

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