

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.79995 of 2018

Arising Out of PS. Case No.-199 Year-2018 Thana- MAHUA District- Vaishali

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Raghubir Kumar, son of Sonful Singh, Vill-Raja Pakar Dakshin Tola Sanichar
Pethia,P.S-Rajapakar,Distt.-Vaishali

... .. Petitioner/s

Versus

The State Of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rina Sinha, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 25-01-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is languishing in custody since
23.07.2018 in a case registered for the offence punishable
under Sections 379,511,411,420/34 of the Indian Penal Code.

The prosecution case got initiated on the basis of
written report dated 23.07.2018 submitted by Shashi Ranjan
Prasad to the Station House Officer, Mahua Police Station is to
the effect that on 22.07.2018 at 5.00 P.M., after having
received information on mobile phone to the effect that three
motorcycle thieves have been caught by the public, the
informant along with other police personnel reached on the
spot and he found that mob is assaulting three persons who
disclosed their name as Bablu Kumar, Sikesh Kumar and the



petitioner Raghbir Kumar. From all the three accused persons master keys were recovered along with a motorcycle of Honda company, without its registration number.

It is submitted by learned counsel for the petitioner that only on the basis of suspicion the accusation has been levelled against the petitioner. In fact, recovery has not been made from the petitioner. Moreover, co-accused Sikes Kumar and Babloo Kumar have been granted bail by a co-ordinate Bench of this Court vide order dated 10.12.2018, passed in Criminal Miscellaneous Nos. 70936 of 2018 and 67231 of 2018. 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 caught raid handed.

Considering the fact that similarly situated co-accused persons have been granted bail 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 CJM, Vaishali at Hajipur in connection
with Mahua P.S. Case No. 199 of 2018.

(Dinesh Kumar Singh, J)

Ashwini/-

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