

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61756 of 2019

Arising Out of PS. Case No.-307 Year-2019 Thana- PURNEA SADAR District- Purnia

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DEEPAK RAJAK, aged about 25 years (Male), Son of Dinesh Rajak,
Resident of Gulabbagh, Hansda Naya Tola, P.S.- Sadar, District- Purnea.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr.Sanjay Kumar Singh, Advocate.

For the Opposite Party : Mr.Syed Ehteshamuddin, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 14-11-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in a case for the offence
registered under Sections 392 of the IPC and 37(c) of the Bihar
Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that on 18.06.2019
at about 11.30 A.M. the informant alongwith nephew namely,
Md. Manatsir were proceeded to Brick-kiln carrying Rs.
74,000/-. It is further alleged that at Zero Mile Chowk Gulab
Bagh, they cited in a Tempo bearing Number BR-118158 when
they reached near Gunda Chowk at NH 31, two persons



alongwith the Tempo Driver forcibly took away the cash Rs. 74,000/- from his pocket and pull them on the Road. Thereafter, they took lift on a Truck and chased and apprehended the Tempo, two persons were managed to flee away and the Tempo driver was apprehended, who disclosed the name as Deepak Rajak (petitioner). The petitioner was found in drunken condition.

It has been submitted by learned counsel for the petitioner that the petitioner is languishing in custody since 19.06.2019. The petitioner has got no criminal antecedent. The petitioner has been made accused in the present case due to mistake of fact. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. It is alleged that Rs. 74,000/- is said to have been looted by accused persons. Though the petitioner was apprehended but there is no recovery of such amount.

On behalf of the State, it is 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 2nd
Additional Sessions Judge-cum-Special Judge, Excise, Purnea,
in connection with Sadar P.S. Case No. 307 of 2019.

(Sudhir Singh, J)

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