

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61373 of 2019

Arising Out of PS. Case No.-4 Year-2019 Thana- BHAGALPUR KOTWALI District-
Bhagalpur

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Sonu Ram Son of Nakul Ram Resident of Village- Mansharpur, P.S.-
Ziromile, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Praveen Kumar Agrawal
For the Opposite Party/s : Mr.Umesh Lal Verma

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 26-09-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered under Section
394 of the Indian Penal Code.

Prosecution case in short is that on the pretext of giving
Prasad, three unknown persons entered the house of the
informant and on the point of revolver, the informant and his
wife were taken into their possession and in consequence
thereof, the gold jewellery and cash was looted away by the
miscreants.

It has been submitted on behalf of the petitioner that there
is no allegation of tampering of witnesses alleged against the
petitioner. The petitioner is in custody since 03-01-2019. Charge



sheet has already been submitted. The petitioner is not named in the FIR. His name transpired in this case on the basis of confessional statement of co-accused, Harsh Singh Rathore. 17 small balls of gold and cash Rs 7200/- are said to have been recovered from the pocket of the petitioner. The recovered article was not put on test identification parade to ascertain as to whether the same is stolen property. There is no compliance of Section 100 of the Cr.P.C..

On behalf of the State, it is submitted that the petitioner is not named in the Complaint Case/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 learned Additional Chief Judicial Magistrate-II, Bhagalpur in connection with Kotwali P.S. Case No. 04 of 2019.

(Sudhir Singh, J)

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