

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18467 of 2020

Arising Out of PS. Case No.-619 Year-2019 Thana- GOPALGANJ TOWN District-
Gopalganj

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Rahul Tiwari, aged about 25 years, Male, Son of Late Birendra Tiwari,
Resident of Village - Badaka Khareya, P.S.- Kuchaikot, Distt - Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dhramveer, Advocate
For the Opposite Party/s : Mr.Ram Anurag Singh

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 03-06-2020 Heard the parties through the virtual court
proceeding.

The petitioner seeks bail in connection with
Gopalganj (Town) P.S. Case No. 619 of 2019 registered for the
offences punishable under Sections 411, 413, 414 of the Indian
Penal Code.

The prosecution case in brief is based on the written
report of the informant namely Shashi Ranjan Kumar, S.I. of
Gopalganj Town P.S. stating therein that on 14.11.2019 at about
18.40 hrs., he get secret information that in Rajwadi Colony
renter of the house of Pushpendra Singh, namely, Chanan
Kumar Mehta and his associates are distributing stolen articles.
On this inofmation, informant along with armed force on



14.11.2019 at 19.20 hrs. surrounded the house, then seeing police from one room some persons came out and started fleeing but all the accused persons were apprehended with the assistance of police force. They disclosed their names as Chandan Kumar, Rahul Tiwari, Manish Kumar and Aslam Alam. On the search of the room, knife, Pechkus, Sadasi, Iron Rod, ATM Card, watch, finger ring, Mangal Sutra and silver ornaments, several mobiles and from the Rahul Tiwari, two mobile was recovered.

Learned counsel for the petitioner submits that there is no recovery of any stolen articles from possession of the petitioner. He further submits that two mobile phone which is alleged to be recovered from the possession of the petitioner is not the stolen article, rather these mobile phone is personal phone of the petitioner. He further submits that the I.O. has not put the recovered mobile phone from the possession of the petitioner on T.I.P. Learned counsel for the petitioner further submits that similarly situated co-accused have been granted bail by this Co-ordinate Bench of this Court passed in Cr. Misc. No.8765 of 2020 and Cr. Misc. No.86022 of 2019 and petitioner is in jail custody since 15.11.2019.

Learned A.P.P. for the State has opposed the prayer.



In the facts and circumstances of the case, let the petitioner above named be released on bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) only with two sureties of the like amount each to the satisfaction of C.J.M., Gopalganj in connection with Gopalganj (Town) P.S. Case No.619 of 2019.

(Anjani Kumar Sharan, J)

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