

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20320 of 2020

Arising Out of PS. Case No.-9 Year-2020 Thana- TAJPUR District- Samastipur

Raghuveer Ray, Son of Baleshwar Ray Resident of Village - Chakjalal, P.S.-
Halai, Dist.- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar No.1- Advocate

For the Opposite Party/s : Mr. Ram Priya Sharan Singh- A.P.P.

**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**

ORAL ORDER

2 12-08-2020 Heard learned counsel appearing for the petitioner as well as learned Additional Public Prosecutor appearing for the State through video conferencing.

Petitioner is in custody since 13.01.2020 and seeks bail in connection with Tajpur (Halai) P. S. Case No.09 of 2020 registered for the offences punishable under Sections 392 and 411 of the I.P.C.

Petitioner is not named in the first information report. The perusal of impugned order goes to show that the name of petitioner came in this case in confessional statement of co-accused. Furthermore, learned Additional Sessions Judge-IX, Samastipur has referred some paragraphs of the case diary to show the involvement of the petitioner in the alleged crime.



However, the impugned order reflects that in those paragraphs, the involvement of the petitioner was found on the basis of electronic surveillance.

Learned counsel appearing for the petitioner submits that the stolen motorcycle has not been recovered from conscious possession of the petitioner and, as a matter of fact, in course of investigation, the house of petitioner was raided by the police and brother-in-law of the petitioner was arrested. He further points out that one mobile phone was recovered from the possession of the brother-in-law of the petitioner. He further points out that no doubt, one motorcycle said to be stolen property of another case was recovered from the house of the petitioner, but for the aforesaid recovery of said motorcycle, another case i.e. Halai (O.P.) P. S. Case No.12 of 2020 has been lodged against the petitioner.

Considering the aforesaid facts and circumstances of the case as well as submissions of the parties and also taking note of period of detention of the petitioner in jail custody, let the petitioner, above named, be released on bail on execution of personal bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-1, Samastipur in



connection with Tajpur (Halai) P. S. Case No.09 of 2020,
subject to condition that when the Court below starts physical
functioning, petitioner shall execute bonds of Rs. Ten thousand
with two sureties of the like amount each to the satisfaction of
the concerned Court.

(Hemant Kumar Srivastava, J)

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