

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25877 of 2020

Arising Out of PS. Case No.-25 Year-2020 Thana- GHORASAHAN District- East
Champaran

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RAM VISHWASH RAI @ RAM VISHWASH YADAV S/o Ram Ekwai Rai
Resident of Village- Jhauaram, P.S.- Dhaka, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh
For the Opposite Party/s : Mr. APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 13-10-2020 Heard both sides.

The matter has been taken up through video conferencing.

The petitioner seeks bail in Ghorasahan P.S. case No. 25/2020 registered u/s 420, 120B, 392 of the IPC. Later on charge sheet u/s 395 and 412 of the IPC has been submitted.

The informant alleged that on the request of Kunal Kumar and Kalamuddin the informant sent his vehicle near Anand Flower Garden. Three persons hired the vehicle and took the vehicle along with Manoj Kumar, driver of the vehicle, on reserve. Another person also sat at Kadamwa Gola and the vehicle was stopped and looted away by the occupants of the vehicle. The informant alleged that one of the persons, who



hired the vehicle, was having mobile No. 9006375111. During the course of investigation Abhishek Kumar was apprehended and it transpired that Awadhesh Mandal was owner of SIM No. 9006375111 and Awadhesh Mandal is father of Abhishek Kumar. Abhishek Kumar disclosed the name of other accused persons and at his instance the vehicle was recovered

The learned counsel for the petitioner submits that name of the petitioner was figured in the case in the confessional statement of Abhishek Kumar but nothing has been recovered from his possession. The petitioner is said to have confessed his guilt before the police which has got no evidentiary value. The petitioner was not put on T.I. parade and he is in custody since 23.01.2020. The petitioner has remained in jail for about eight and half months.

Having regard to the facts that name of the petitioner figured in the case in the confessional statement of Abhishek Kumar, who is said to have hired the vehicle, but the petitioner was not put on T. I. Parade as the driver of the vehicle may identify the occupants of the vehicle, who had hired the vehicle on reserve, and the petitioner has remained in jail for about eight and half months, the petitioner, above named, is directed to be enlarged on bail on his furnishing bail bond of Rs. 10,000/-



(rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub divisional Judicial Magistrate, Sikarhana at Dhaka, East Champaran in connection with Ghorasahan P.S. case No. 25/2020.

(Prabhat Kumar Jha, J)

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