

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78664 of 2019

Arising Out of PS. Case No.-12 Year-2019 Thana- PIRO District- Bhojpur

Rakesh Kumar Son of Harikishun Singh Resident of Village-Rajmaldih, P.S-
Sikrahata, District-Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajani Ranjan Pd. Singh, Advocate

For the Opposite Party/s : Mr. Md. Aslam Ansari, APP.

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 16-03-2020 Heard Mr. Rajani Ranjan Pd. Singh for the

petitioner and Mr. Aslam Ansari for the State.

The petitioner seeks bail in connection with Piro
P.S. Case No. 12 of 2019 dated 12.01.2019 instituted
for the offence under Section 392, 395, 412 and 120B
of the Indian Penal Code.

The FIR was initially instituted under Section
392 of the IPC but later chargesheet has been
submitted under Sections 395, 412 and 120B of the
Indian Penal Code.

A van loaded with fish was taken away on gun
point by miscreants, who also confined the owner and



driver of the aforesaid van in a Bolero vehicle. One Rahul Kumar was arrested during the course of investigation, who disclosed the name of the petitioner and on such disclosure, the intercepted vehicle is said to have been recovered from a thatched house belonging to the petitioner.

The learned advocate for the petitioner has submitted that the thatched house is inhabitable and is situated outside the locality and is accessible to one and all. It has further been submitted that the petitioner was arrested in a case *vide* Piro P.S. Case No. 177 of 2019 and on suspicion, the petitioner has been remanded in this case also. In the aforesaid background, the learned advocate for the petitioner submits that the entire story of recovery therefore has been cooked up by the police in order to justify the prosecution and the remand of the petitioner in the present case.

In all other cases apart from this in which the petitioner has been made accused, he has been granted



bail.

Regard being had to the period of custody of the petitioner which is from 11.09.2019 and the nature of accusation, he is directed to be released on bail on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bhojpur at Ara in connection with Piro P.S. Case No. 12 of 2019.

(Ashutosh Kumar, J)

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