

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80717 of 2019

Arising Out of PS. Case No.-376 Year-2018 Thana- AURANGABAD TOWN District-
Aurangabad

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SOURAV KUMAR @ CHHOTU, aged about 20 years (Male), Son of Shiv Ram, Resident of Village-Daltenganj Bhathi Mohalla, P.S.- Daltenganj, District - Palamu (Jharkhand).

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Shailesh Kumar Singh, Advocate.
For the Opposite Party : Mr. Nityanand Tiwari, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 19-03-2020 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in a case for the offence
registered under Section 395 of the IPC.

The prosecution story, in brief, is that on 19.12.2018
at about 12.53 in the day time, five miscreants entered in the
jewellery shop with arms and ammunitions. Four criminals have
pistol in their hand. On gun point, they took custody of
Parmanand Kumar who is the staff of Jewellery shop. Two of
the criminals pointed pistol towards informant and also
assaulted informant with butt of pistol on his head that the
accused persons tied the hand and leg of informant alongwith
other staff members of jewellery shop named as Parmanand



Kumar with plastic tape. The accused person looted 1 Kg., of gold ornaments worth Rs. 3,00,000/- and also looted Rs. 1,50,000/- cash from the shop. The informant later on raised alarm when the accused persons fled away.

It has been submitted by learned counsel for the petitioner that the petitioner is languishing in custody since 14.02.2019. The petitioner has falsely been implicated in the present case. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner is not named in the F.I.R. During the T.I. Parade, single identification has been made from which it cannot be ascertained that the petitioner has participated in the alleged occurrence. There is no recovery from possession of the petitioner. Other co-accused have been granted bail by this Court vide Cr. Misc. No. 25608 of 2019 under order dated 19.04.2019, Cr. Misc. No. 27120 of 2019 under order dated 25.04.2019, Cr. Misc. No. 20319 of 2019 under order dated 01.05.2019, Cr. Misc. No. 21379 of 2019 under order dated 07.05.2019, Cr. Misc. No. 17903 of 2019 under order dated 14.05.2019, Cr. Misc. No. 30859 of 2019 under order dated 12.07.2019, Cr. Misc. No. 63642 of 2019 under order dated 22.10.2019 and Cr. Misc. No. 66599 of 2019



under order dated 04.11.2019.

On behalf of the State, it is submitted that the petitioner is not named in the 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 the learned Additional Sessions Judge-IX, Aurangabad, in connection with Aurangabad Town P.S. Case No. 376 of 2018, G.R. No. 2177 of 2018, Sessions Trial No. 362 of 2019.

(Sudhir Singh, J)

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