

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19107 of 2021**

Arising Out of PS. Case No.-68 Year-2019 Thana- SUGAULI RAIL P.S. District- West
Champaran

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DINESH SAH @ DINESH KUMAR SAH @ RAJESH SAH son of Amarica
Sah Resident of village- Jagdishpur Birti Tola, P.S- Jagdishpur, Dist- West
Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Advocate
For the Opposite Party/s : Mr. Dilip Kumar no. 1, APP

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**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER**

3 21-10-2021

Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in connection with a case registered under sections 401 and 414 of the Indian Penal Code.

As per the prosecution case, two accused persons namely Basant Kumar Sah and Salu Kumar were arrested and various articles including a knife, mobile phone etc were recovered from their possession and the seizure list prepared. It is further stated that on enquiry they stated that they had parked a motorcycle in the stand which belonged to Rajesh Kumar Sah, the petitioner herein and Bittu Kumar.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case



because of his antecedents. From the contents of the FIR it would transpire that no incriminating article has been recovered from his possession. The only material against the petitioner is the statement of a co-accused made before police. The petitioner is in custody since 1.2.2020 and charge sheet has been submitted in the case.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case together with the petitioner having remained in custody for 1 year 8 months, the Court directs the petitioner to be enlarged on bail in connection with Sugauli Rail P.S. Case no. 68 of 2019 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Railway Magistrate, Muzaffarpur.

(Partha Sarthy, J)

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