

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34769 of 2020

Arising Out of PS. Case No.-284 Year-2014 Thana- SAHEBPUR KAMAL District-
Begusarai

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BANTI PODDAR @ MRITYUNJAY PODDAR, Male, aged about 28 years,
Son of Kallo Poddar @ Kamal Kishore Poddar, Resident of Village -
Madhurapur, P.S. - Maheshkhut, District - Khagaria.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Shekhar Kumar Singh, Advocate.
For the Opposite Party : Mr. Rajballabh Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 20-01-2021 Learned counsel for the petitioner is directed to

remove the defects, as pointed out by the office, within a period

of four weeks.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in a case for the offence
registered under Sections 395 and 397 of the I.P.C.

The prosecution story, in brief, is that on 17.10.2014
at about 22.00 hours, the informant having loaded wheat over
the Truck No. BR-01GC-4442 and departed from Ballia to
Silliguri and when reached near Sri Chandpur Dhala then one
Tata Safari white colour vehicle stopped ahead to Truck and
four persons boarded down from Safari, three of them boarded



up over the Truck and caught the driver and Khalasi and boarded down both of them and some persons were seated in the Safari in the meanwhile, he threw key of the Truck as well as they took out Rs. 56,000/- and his Mobile and also they took original paper of the Truck. It is also alleged that they also assaulted with knife over the thigh and they robbed their leg and hand as well as both of them came to Khagaria with the miscreants where the miscreants left them near the Truck.

It has been submitted by learned counsel for the petitioner that the petitioner is in custody since 03.02.2014. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The petitioner is not named in the F.I.R. His name has come in the present case on the basis of confessional statement of co-accused. There is no recovery of any incriminating article from possession of the petitioner. The petitioner has not been put on T.I. Parade to ascertain his participation in the alleged occurrence. Other co-accused has been granted bail by another Co-ordinate Bench of this Court vide Cr. Misc. No. 19246 of 2015 under order dated 23.06.2015.

On behalf of the learned counsel for the State, it has



been submitted that the petitioner is not named in the F.I.R.

Considering the aforesaid facts and circumstances of the case, the petitioner above named, is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of the learned C.J.M. Begusarai, in connection with S. Kamal P.S. Case No. 284 of 2014.

(Sudhir Singh, J)

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