

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32838 of 2020

Arising Out of PS. Case No.-230 Year-2019 Thana- RAXAUL District- East Champaran

Krishna Tamang, Son of Dhanbahadur Tamang, Resident of Village - Doli
Nagarpalika no. 07, P.S.- Alriya, Kailali, Nepal.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Samir Kumar, Adv.
For the Opposite Party/s : Dr. Ajeet Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 08-01-2021 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed the instant application for grant of regular bail in connection with Raxaul P.S. Case No.230 of 2019 registered under sections 457 and 380 of the Indian Penal Code.

As per allegation in the FIR, on receiving information from his brother about a theft having been committed in his house, the informant returned and found that the lock to his house was broken, his belongings was scattered and the articles mentioned in the FIR including Rs.55,000/- in cash, had been stolen.

It is submitted by learned counsel for the petitioner that the FIR was registered against unknown. The petitioner was falsely implicated in Raxaul P.S. Case No.302 of 2019, wherein



his confessional statement was recorded by the police and consequent thereto, he was remanded in the instant case on 29.08.2019. It is submitted that no recovery of any incriminating article has taken place, as a result of the said confession. He is in custody since 29.08.2019.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties, and taking into consideration the facts and circumstances of the case including that no incriminating article has been recovered from the possession of the petitioner who is in custody since 29.08.2019, the Court is inclined to enlarge the petitioner on bail. Let the petitioner, above named, be enlarged on bail in connection with Raxaul P.S. Case No.230 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 S.D.J.M, Motihari, East Champaran on the following conditions:-

- (1) Both sureties shall be residents of the local jurisdiction of the Court.
- (2) Both sureties shall be close relatives of the petitioner.



(3) The petitioner shall co-operate and remain personally present on each date of the trial.

(Partha Sarthy, J)

Prakash Narayan /-

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