

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84644 of 2023

Arising Out of PS. Case No.-187 Year-2023 Thana- BUXAR RAIL P.S. District- Bhojpur

Ram Ishwar Pandey S/o Late Vishnu Bhagwan Pandey R/o village-Purana
Bhojpur, P.S-Dumraon, District-Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manisha Pandey

For the Opposite Party/s : Mr.Upendra Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 08-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under section 414 of the Indian Penal Code.

3. Prosecution case relates to recovery of a bag in which, mobile phone, Aadhar Card, cash including some stolen material have been kept. The petitioner was apprehended on spot.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. The petitioner has no concern with the alleged recovery of stolen material rather he was traveling as bonafide passenger having a valid ticket but he



was arrested by the police on basis of suspicion. It is also submitted that the seized list has not been prepared in the presence of any independent witness, except police personnel which violates the provision of section 100 Cr.P.C. The petitioner has got no criminal antecedent as stated in para-3 of the bail petition and languishing in judicial custody since 26.8.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Considering the facts and circumstances of the case as well as custody period of the petitioner, this court is inclined to enlarge him on bail. The above named petitioner is directed to be released on bail in connection with Buxar Rail P.S. Case No. 187 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned District and Sessions Judge, Bhojpur at Ara.

(Sunil Kumar Panwar, J)

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