

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8820 of 2015

Arising Out of PS.Case No. -120 Year- 2014 Thana -BIHRA District- SAHARSA

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RAGHAV SAH @ RAGHAV KUMAR SAH

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amarnath Jha-Advocate

For the Opposite Party/s : Mr. Md.Fahimuddin(A.P.P.)

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

02 07-05-2015

Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor.

At an earlier occasion, petitioner's status was
flashing from the order of the learned lower Court within the
sphere of 18 years and on account thereof, instead of considering
the prayer for bail under Criminal Miscellaneous No.38492 of
2014, the same was disposed of, directing the learned lower Court
to conduct an enquiry in terms of Section 7A of the Juvenile
Justice Act. As is evident, an enquiry was conducted and age of
the petitioner has been estimated to be of 23 years on the alleged
date of occurrence. That being so, petitioner stood out of purview
of Juvenile Justice Act.

Informant, a tempo driver while was carrying
passengers fallen prey at the hands of criminals, who on the point

of firearm, deprived of all the belongings of the passengers as well as informant. None had claimed identification and so, first information report was registered against unknown.

One Jay Shankar Kumar @ Jay Shankar Sah was apprehended, from whose possession three mobile sets were recovered. During his inculpatory extra-judicial confessional statement, named so many persons including that of petitioner Raghav Sah. It is further evident that from the possession of petitioner, Rs.4,000/- in cash along with *Chhura* and a mobile was recovered. Neither the cash nor the mobile was put on Test Identification Parade and in likewise manner, petitioner also not been put on Test Identification Parade.

Accordingly, petitioner **Raghav Sah @ Raghav Kumar Sah** is directed to be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-IInd, Saharsa in connection with Sessions Trial No.06 of 2015 arising out of Bihra P. S. Case no.120 of 2014.

(Aditya Kumar Trivedi, J)

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