

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12988 of 2015

Arising Out of PS.Case No. -27 Year- 2014 Thana -BHAGALPUR GRP CASE District-
BHAGALPUR

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1. Pappu Mahaldar S/o Late Sakal Mahaldar, Resident of village- Lailakh,
Police Station- Sabour, District- Bhagalpur

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Ajay Mukherjee

For the Opposite Party : Mr. Anusaiya Jaiswal(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 02-04-2015 Petitioner is languishing in custody since
24.08.2014 in a case registered for the offences punishable
under Sections 328, 379/34 of the I.P.C.

Accusation is taking away the belongings of
the informant by mixing some intoxicant with the banana and
biscuits. The First Information Report was lodged against
unknown. The name of the petitioner sprang up during
investigation.

It is submitted by learned counsel for the
petitioner that petitioner has not been put on test identification
parade nor any recovery has been made from the petitioner.
The statements to that effect have been made in para 8 and 10
of the petition. The impugned order reflects that para 43 of the
case diary reflects that informant has failed to identify the
petitioner through his photograph.

Considering the aforesaid facts, let the petitioner, above named, 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 learned Railway Judicial Magistrate, Bhagalpur in connection with Bhagalpur Rail P.S. Case No. 27 of 2014.

Since the petitioner has criminal antecedent, let learned Court below cancel the bail bonds of the petitioner, if the petitioner gets substantially involved in similar nature of offence or defaults for three consecutive occasions during trial.

Shageer/-

(Dinesh Kumar Singh, J)

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