

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28697 of 2015

Arising Out of PS.Case No. -75 Year- 2013 Thana -BANIAPUR District- SARAN

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Shailendra Prasad @ Lulha S/o Krishna Prasad Resident of Village - Sisai,
P.S. Janta Bazar, District - Saran at Chapra.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Udai Shankar Singh, Adv.

For the Opposite Party/s : Mr. Nand Kishore Pd.(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

2 06-08-2015 Heard both sides.

The petitioner seeks bail in Baniyapur P.S. Case No. 75 of 2013, registered for the offences punishable under Sections 395, 397 and 412 of the Indian Penal Code.

The petitioner is not named in the FIR. Name of the petitioner figured in the case during course of investigation in the confessional statement of the co-accused but nothing has been recovered from the possession of the petitioner. Similarly situated co-accused Kanhaiya Mahto and Sunil Kumar Mahto have already been enlarged on bail vide order passed in Cr. Misc. No. 7077/2014 and Cr. Misc. No. 779/2014.

It appears that the name of the petitioner figured in the case in the confessional statement of Sudama Rai and Lal Mohan

Singh. Except the confession no tangible material is collected against the petitioner nor the petitioner was put on Test Identification Parade, although he is in jail since 24.04.2015.

Considering the facts aforesaid, the petitioner above named is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Sri S.D. Bharti, Judicial Magistrate 1st Class, Saran at Chapra, in connection with Baniyapur P.S. Case No. 75/2013.

(Prabhat Kumar Jha, J.)

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