

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34743 of 2014

Arising Out of PS.Case No. -264 Year- 2013 Thana -SURSAND District- SITAMARHI

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1. Idrish Nut @ Md. Idrish Nut S/o Khalil Nut, resident of village- Rupauli,
P.S.- Tariyani, District- Sheohar. At present Resident of Vilalge- Aolipur,
P.S.- Belsand, District- Sitamarhi

2. Suresh Sahni S/o Kapil Sahni, resident of village- Aolipur, P.S.- Belsand,
District- Sitamarhi

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Singh

For the Opposite Party/s : Mr. Rita Verma (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 16-01-2015

Heard both sides.

The petitioners seek bail in Sursand P.S. Case
No. 264 of 2013 registered under section 395 of the Indian Penal
Code and late on section 412 of the Indian Penal Code was also
added. . Amirul Rain lodged the case of dacoity against unknown.

Learned counsel for the petitioner submits that
petitioners are not named in the first information report. Firstly
Rambabu Sahni was apprehended but from his possession two
looted mobile were recovered but Rambabu did not disclose
the name of the petitioner. Jamil Akhtar was arrested and he
confessed his guilt and disclosed the name of the petitioner. They

were put on T.I.P but the informant is said to have identified the petitioner. It is submitted that the informant has stated in the first information report that the accused persons had covered their face with wrapper, therefore, there is no question of identifying and identification has become doubtful

Considering that the petitioners were identified by the informant in T.I.P, I am not inclined to grant bail to the petitioner's .The prayer for bail is rejected at this stage. However, the petitioners may renew their prayer for bail after six months from today.

(Prabhat Kumar Jha, J)

M.Rahman/-

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