

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 51651 of 2015

Arising out of P. S. Case No. - 23 Year - 2015 Thana - THAWE District - GOPALGANJ

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Raja Husain @ Raja, S/o Jaharuddin Miyan, R/o Village - Jashauli -
Murgiya, P.S. - Pachrukhi, Dist. - Siwan

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s :

For the Opposite Party/s :

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CORAM: HONOURABLE MR. JUSTICE GOPAL PRASAD
ORAL ORDER

2 10-11-2015 Heard learned counsel for the petitioner and learned
counsel for the State.

This is a petition for grant of regular bail in a case under
Section 395 of the Indian Penal Code.

The First Information Report is against unknown. The
only material against the petitioner is the confessional statement
of the co-accused, namely, Iftekhjar @ Meghu Thikedar. Though,
the petitioner is in jail since 23.07.2015 but he has not been put
on Test Identification Parade. However, a mobile has been
recovered on the basis of confessional statement of the co-
accused in which petitioner has admitted that the looted mobile
has been given to his sister-in-law Priyanka Singh and from her
house looted mobile has been recovered so involvement of this
petitioner shows.

Learned counsel for the petitioner submits that the mobile has not been recovered for his possession and the confessional statement before the police is no evidentiary value in the eye of law and no Test Identification Parade has been conducted.

Hence, having regard to the facts and circumstances of the case, the petitioner above named is ordered 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 Chief Judicial Magistrate, Gopalganj in connection with Thawe P. S. Case No. 23 of 2015, subject to the condition that the petitioner shall not involve in such type of activity in future and shall file Hazari in the nearest police station once in a fortnight for one year and if any report is received regarding his involvement then that will be a ground for cancellation of bail bond of the petitioner.

(Gopal Prasad, J)

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