

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45967 of 2014

Arising Out of PS.Case No. -55 Year- 2014 Thana -CHANDAN District-
BANKA

- =====
1. Binod Turi @ Binod Kumar Turi S/o Shankar Turi
2. Suresh Sah S/o Bindeshwari Sah,
Both resident of village - Bara, P.S. Belhar, District - Banka

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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with

Criminal Miscellaneous No.46736 of 2014

Arising Out of PS.Case No. -55 Year- 2014 Thana -CHANDAN District- BANKA

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Santosh Kumar Mandal Son of Matuki Mandal Resident of village-
Kathaun, P.S.- Katoria, District- Banka

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

(In Cr.Misc. No.45967 of 2014)

For the Petitioner/s : Mr. Ajay Mukherjee, Adv.

For the Opposite Party/s : Mr. Nazir Ansari, APP

(In Cr.Misc. No.46736 of 2014)

For the Petitioner/s : Mr. Brij Nandad Prasad, Adv.

For the Opposite Party/s : Mr. M.K. Khare, APP

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CORAM: HONOURABLE MR. JUSTICE AMARESH KUMAR LAL
ORAL ORDER

4 13-04-2015

Both these applications arise out of Chandan P. S.

Case No. 55 of 2014 registered for an offence punishable
under Sections 395/397 IPC, as such, they have been heard
together and are being disposed of by this common order.

Heard learned counsel for the petitioners and

learned A.P.P. for the State.

The petitioners seek bail in the aforesaid case.

Allegation is that while the informant and his companions were going to their house in a tempo, in the way some miscreants came, stopped the auto rickshaw and spread chilly powder. Thereafter, all the articles of the informant and his companions were looted. FIR was lodged against unknown.

Learned counsel for the petitioners submits that they have not been put on Test Identification Parade. They have not been identified by the informant. Only looted articles have been recovered which have no identity mark.

Learned counsel for petitioner Santosh Kumar Mandal has submitted that he has made confessional statement before the police but nothing has been recovered from his possession and he has no criminal antecedent.

Learned counsel for the State submits that confessional statement of co-accused Santosh Kumar Mandal led to recovery of looted articles from the possession of petitioners Binod Turi and Suresh Sah who have also criminal antecedents. After investigation, the case has been found true.

Considering the facts and circumstances, in my

opinion, the petitioners do not deserve bail at this stage. Their prayer for bail is rejected.

(Amaresh Kumar Lal, J)

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