

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27768 of 2015

Arising Out of PS.Case No. -69 Year- 2012 Thana -GURARU District- GAYA

1. Manoj Yadav Son of Hardeo Yadav resident of village - Khaira, P.S.
Konch, District - Gaya

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Usha Kumari Singh

For the Opposite Party/s : Mr. Anil Kumar (App)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

6 30-11-2015 Heard the learned counsel for the petitioner as well as
the learned A.P.P.

The petitioner seeks bail in a case for the offence
punishable under section 395 of the I.P.C

Allegedly, six unknown miscreants came with two
motorcycles at the shop of the informant and out of them four
criminals entered into the shop and at the point of pistol snatched
cash of Rs. 7,600/- and also assaulted the helper of the shop and
thereafter fled away. During investigation the name of the
petitioner transpired and he has also confessed his guilt.

Submission is of false implication due to dirty village
politics, he is not named in the F.I.R and on the basis of the
confessional statement of co-accused Rajendra Paswan @ Umesh
Paswan @ Chhuman Paswan he has been implicated and further

confessional statement of the petitioner has also got recorded after adopting third degree method, nothing incriminating article has been recovered from his possession, he has not been put on test identification parade and he is suffering in custody since 12.02.2013.

The learned A.P.P. opposes prayer for bail by submitting that the petitioner has got criminal antecedent as he is involved in several cases.

In the facts and circumstances as stated above, considering that nothing has been recovered from possession of the petitioner and he is not named in the F.I.R. nor he has been put on test identification parade and as such he is directed 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 Smt. Kalpana Srivastava, J.M. 1st Class, Gaya in Guraru P.S. Case No. 69 of 2012, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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