

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47482 of 2015

Arising Out of PS.Case No. -23 Year- 2015 Thana -TANDWA District- AURANGABAD

1. Karan Kumar Son of Sri Jagdish Prasad resident of village - Marha,
Police Station - Hussainabad, District - Palamu (Jharkhand)

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chitranjan Sinha, Sr. Advocate
Mr. Birendra Kumar

For the Opposite Party/s : Mr. Subhash Chandra Mishra(App)

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

4 07-12-2015 Heard learned Sr. Counsel for the petitioner and
learned counsel representing the State.

The petitioner seeks bail in connection with Tandwa
P.S. Case No. 23 of 2015 registered for the offence punishable
under Section 395 of the Indian Penal Code.

Allegedly, five armed miscreants after entering into
Punjab National Bank, Tandwa Branch committed dacoity and
during investigation the petitioner was apprehended and amount of
Rs. 3000/- and one Nokia Mobile were recovered from his
possession and on the basis of his confessional statement further
amount of Rs. 1,00,000/- was recovered from possession of Baby
Devi a Dancer of Sasaram.



Submission is of false implication and that the petitioner is in custody since 25.06.2015 but he has not been put on test identification parade, the mobile and cash recovered from possession of the petitioner are not the looted articles. The Police after adopting 3rd degree method has recorded the alleged confessional statement. The recovered amount has also not been put on test identification parade and further there was no any identification mark, other co-accused Danvir Singh and Mintu Hussain have been allowed bail vide Cr. Misc. No. 42668 of 2015 and 40084 of 2015 by another co-ordinate Benches of this Court.

Learned APP opposes the prayer of bail by submitting that on the basis of confessional statement of the petitioner amount of Rs. 1,00,000/- was recovered from possession of Baby Devi but it is true that there was no sign of identification.

In the facts and circumstances stated above, considering that chargesheet has already been submitted and there is no chance of tampering with prosecution evidence and co-accused have been allowed bail, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Sri Sanjeev Kumar, J. M. Ist Class, Aurangabad in connection with Tandwa P.S. Case No. 23 of 2015,

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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