

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48617 of 2015

Arising Out of PS.Case No. -191 Year- 2009 Thana -FORBESGANJ District- ARRARIA

1. Md. Ruddin @ Ruddin Mian Son of late Fido Mian resident of Village
Pipara Tappu . police Station Jogbani District Araria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana

For the Opposite Party/s : Mr. K.Kishore (App)

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

3 04-12-2015 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, dacoity was committed in the house of the
informant in the night and co-accused Md. Siddique was
apprehended who confessing his guilt stated the name of the
petitioner and others.

Submission is of false implication and that the
petitioner was not caught on the spot, nothing has been recovered
from his possession or his house. He has not been put on test
identification parade inspite of his repeated request and that Md.
Siddique who has named the petitioner has already been allowed

bail vide Cr. Misc. No. 7617 of 2012. Charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence. In near future the trial is also not likely to be concluded which is evident from the report of the learned Chief Judicial Magistrate.

The learned A.P.P. fairly submits that no test identification parade has been conducted though the petitioner is in custody since 27.03.2015. .

In the facts and circumstances as stated above, the petitioner 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 C.J.M. Araria in Forbesganj (Simraha) P.S. Case No. 191 of 2009, 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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