

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49053 of 2015

Arising Out of PS.Case No. -102 Year- 2014 Thana -KAUAKOL District- NAWADA

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1. Rasid Mian Son of Farid Mian Resident of Village - Murbaro, P.S. Khaira, District Jamui..... Petitioner

Versus

1. The State of Bihar. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Satya Prakash Parasar

For the Opposite Party/s : Mr. I. Mahmood(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 07-12-2015 Heard learned counsel for the petitioner and learned
counsel representing the State.

Petitioner seeks bail in connection with Kawakole P.S.
Case No. 102 of 2014 registered for the offences punishable under
Sections 147, 148, 149, 365 of the Indian Penal Code.

Allegedly, Pramod Sao was kidnapped by 15-20
unknown miscreants and during investigation name of the
petitioner transpires in the statement of spy and further in the
statement of Officer in-Charge of Khaira Police Station it is stated
that the petitioner confessing his guilt has stated regarding his
involvement in this case also. The petitioner has stated in his
confessional statement that after taking ransom of Rs. 15,00,000/-
Pramod Sao was released.

Submission is of false implication and that only on the
basis of statement of spy and the alleged confession of the

petitioner the petitioner is suffering in custody since 25.08.2015 only the on the basis of his criminal antecedent. The victim has been released but his statement under Section 164 Cr.P.C. has not been recorded and the petitioner has not been put on test identification parade.

Learned APP opposes the prayer of bail by submitting that the petitioner has confessed his guilt but it is true that nothing has been recovered from his possession.

In the facts and circumstances stated above, 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 the learned Additional Chief Judicial Magistrate IV, Nawada in connection with Kawakole P.S. Case No. 102 of 2014, 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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