

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30643 of 2015

Arising Out of PS.Case No. -323 Year- 2014 Thana -MEERGANJ District- GOPALGANJ

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1. Sonu Tiwari @ Deepak Tiwari @ Deepak Baba S/o Late Sanjay Tiwari
Resident of village - Barirai Bhan, P.S. Hathua, Distt. - Gopalganj

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jagannath Singh, Advocate.

For the Opposite Party/s : Mr. Madhura Nand Jha (App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

4 30-10-2015 Heard the learned counsel for the petitioner as well as

the learned A.P.P.

The petitioner seeks bail in a case for the offences
punishable under sections 392 and 395 of the I.P.C

It is submitted that the petitioner is not named in the F.I.R
and only on suspicion he has been arrested and after adopting third
degree method his confessional statement has been recorded.
Nothing has been recovered from possession of the petitioner and
he has not been put on test identification parade. The alleged
confession made before police has got no legal value in the eye of
law and the petitioner is suffering in custody since 26.12.2014
without any legal and valid material. The other co-accused have
been allowed bail by different Benches of this Court and as such

the petitioner also deserves sympathetic consideration, to which the learned A.P.P. does not oppose.

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. Gopalganj in Mirganj P.S. Case No. 323 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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