

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35567 of 2014

Arising Out of PS.Case No. -208 Year- 2013 Thana -GAYGHAT District- MUZAFFARPUR

1. Dhana Seth @ Rakesh Kumar Son of Misri Lal Mahto resident of village-
Harsinghpur, Lauttan, Police Station- Sakra, District- Muzaffarpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prabhakar Jha

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

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

6 18-02-2015 Heard learned counsel for the petitioner and learned
counsel representing the State.

Petitioner seeks bail in connection with Gaighat P.S.
Case No. 208 of 2013 registered for the offences punishable under
Sections 395, 397, 364 of the Indian Penal Code.

It has been submitted that the petitioner is not named
in the FIR, only on the basis of confessional statement he is
suffering in custody since 25.11.2013, no test identification parade
has been arranged, nothing has been recovered from possession of
the petitioner and co-accused Nagendra Kumar has been admitted
to bail by another Bench of this Court vide order dated 2.9.2014
passed in Cr. Misc. No. 21144 of 2014.

Learned APP opposes the prayer for bail by

submitting that the petitioner is accused in several cases from before.

In the facts and circumstances stated above, considering that the petitioner has not been put on test identification parade and nothing has been recovered from his possession, 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 Adhoc Additional Sessions Judge No. 2, Muzaffarpur in Sessions Trial No. 266 of 2014 arising out of Gaighat P.S. Case No. 208 of 2013, 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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