

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14576 of 2015

Arising Out of PS.Case No. -7 Year- 2014 Thana -SARAN GRP CASE District- SARAN

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1. Sudama Kumar Rai @ Sudama Rai S/o Late Jharilal Rai resident of
Village- binda Lal Mathiya P.s Ekma Distt- Saran at Chapra

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar, Advocate

For the Opposite Party/s : Mr. Anuradha Singh (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 03-07-2015 Heard learned counsels for the petitioner and the

State.

The petitioner is languishing in custody since
20.10.2013 in a case registered for the offences punishable under
sections 395 and 397 of the Indian Penal Code.

Accusation is of committing 'dacoity' in a running
train and causing injury to the informant by knife. During
investigation, it transpired that the petitioner was using the
robbed mobile but the same has been recovered from co-accused
Navin Kumar. Though a mobile was also recovered from the
petitioner but the same was not put on Test Identification Parade.

It is submitted by learned counsel for the petitioner
that the petitioner has not been put on Test Identification Parade

and the investigation has already concluded.

Learned APP for the State, after going through the case diary had not controverted the fact that neither the petitioner nor the mobile, recovered from the petitioner, have been put on Test Identification Parade.

Considering the fact that the petitioner has not put on Test Identification Parade, let the above named petitioner 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 learned Railway Judicial Magistrate, Saran at Chapra in connection with Chapra Rail P.S. Case No.7 of 2014.

Since the petitioner has serious criminal antecedent, learned court below will be at liberty to cancel the bail bonds of the petitioner, if he defaults for two consecutive occasions or gets involved in some serious nature of offence.

(Dinesh Kumar Singh, J)

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